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AMERICAN JEWISH ARCHIVES

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Box	Folder
1	2

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BARRETT, MAY - - - - - - - - - - 46-52

BARRETT, ROBERT P. - - - - - - - 82-90

CARSON, REBECCA, - - - - - - - - 54-57, 64

CARSON, MRS. E. H. - - - - - - - 57-59

DARLEY, N. V. - - - - - - - - - -59-61

DENHAM, HARRY - - - - - - - - -- 73-82, 91

FULLERTON, W. R. - - - - - - - - 2

GOTTHEIMER, HARRY - - - - - -- 62

HALL, CORINTHIA - - - - - - - -- 116-120

HALL, HATTIE - - - - - - - - - - 109-112

HIX, GRACE - - - - - - - - - - - 92-96

HOLLOWAY, J. M. - - - - - - - -- 2-29

KENNEDY, MAGNOLIA - - - - - -- 96-99

McCRARY, T. - - - - - - - - - - -- 112-116

PIRK, MARY - - - - - - - - - - - 53-54

QUINN, LEM - - - - - - - - - - - 99-107

SCHIFF, HERBERT H. - - - - - - - 29-45

SMALL, DORA - - - - - - - - - -- 62-64

THOMAS, MRS. ELLA - - - - - - -- 107-108

WHITE, ARTHUR - - - - - - - - - -64-73

AMERICAN JEWISH ARCHIVES

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R E P O R T

OF THE EXAMINATION OF WITNESSES AT THE NATIONAL PENCIL COMPANY'S FACTORY BY ATTORNEYS L.Z.ROSSER, R.R.ARNOLD, AND H.J.HAAS,

BEGINNING 2:00 P.M., JUNE 30TH, 1913.

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AMERICAN JEWISH ARCHIVES

BY ATTORNEYS L.Z.ROSSER, R.R.ARNOLD, AND H.J.HAAS

AT THE PLANT OF THE NATIONAL PENCIL COMPANY, BEGINNING 2:00 P.M.,

JUNE 30TH, 1913.

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EXAMINATION OF W.R.FULLERTON.

Questions by L.Z.Rosser Esq:-

Q. Mr.Fullerton, you were employed as book-keeper on Friday before the murder on Saturday?

A. Yes sir.

Q. Were you here that day?

A. I didnt go to work here Saturday morning.

Q. Did you come up to the office here?

A. On Frida, I did, yes sir.

Q. What time did you come here?

A. 11:00 o'clock.

Q. Who employed you?

A. Mr.Frank.

Q. In this office here?

A. We came in here and talked a minute, and then we went out in the hall and talked a minute.

Q. You did come in this inner office, in which we are now sitting?

A. Yes.

Q. And you talked with Mr.Frank in here?

A. Yes sir.

Q. That was about 11:00 o'clock on Friday before the murder?

A. Yes sir.

Q. But you did not come back Saturday?

A. No sir.

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EXAMINATION OF J.M.HOLLOWAY.

Questions by L.Z.Rosser Esq:-

Q. Mr.Holloway, what do you do at the Pencil Factory? What job have you got?

AMERICAN JEWISH ARCHIVES

A. Watchman, and time-keeper, and looking after freights, that go in and out, and I stay there around the doors.

Q. You are the day-watchman?

A. Yes sir.

Q. And time-keeper?

A. Yes sir.

Q. And look after the incoming and outgoing freights?

A. That's what I do, and any and everybody that comes in and out.

Q. How long have you been here, Mr.Holloway?

A. I have been here a little over two years.

Q. Were you here the Friday before this murder happened?

A. I was.

Q. What time did you leave the factory that day?

A. I left here at 5:45.

Q. Mr.Holloway, do you usually stay here until the night watchman comes on?

A. Almost always, yes sir.

Q. Who turns over the building to the night watchman?

A. I do.

Q. You knew the night watchman, Newt Lee?

A. I did.

Q. How long had you known him?

A. About three weeks.

Q. Where did he come from here?

A. He come from out here about Oakland City, from the slat mill I think.

Q. Do you know who employed him here?

A. Mr.Darley.

Q. Had Mr.Darley known him before he came here?

A. I think so, sir.

Q. Now on the Friday before the murder do you remember to have seen Newt Lee that evening?

A. I do.

Q. You turned the building over to him?

A. I did.

Q. Who closed up the building in the evening, Mr.Holloway?

A. The night watchman Lee.

Q. Lee closed it up?

AMERICAN JEWISH ARCHIVES

A. Yes sir.

Q. You turn the factory over to him open, and then he goes around, and then what does he do?

A. He closes up all the doors and windows I suppose. As soon as he comes in, I go out.

Q. Well, is that his duty?

A. That's his duty.

Q. Whose duty is it to close up the back door, this back door away back yonder in the basement?

A. The fireman's.

Q. Who was the fireman at that time?

A. Why, I've forgotten his name--William Nolley i was.

Q. Now, when he looks it, what does he do with the key?

A. He brings it and hangs it on that nail right there with them other keys; then, when he comes in every morning to fire up, he comes in, and registers, and gets the key, and goes down.

Q. You were paid off on Friday?

A. That Friday night like everybody else.

Q. You were paid off on Friday because Saturday was a holiday, and they paid off Friday instead of Saturday?

A. Yes sir.

Q. They usually pay off at 12:00 o'clock Saturday?

A. Yes sir.

Q. They pay off at a wicket place there just outside the door of the outer office?

A. Yes.

Q. Is that the place the people come to get their pay usually?

A. All the time.

Q. Now what was your time to get back to the office in the morning?

A. 6:20 to 6:25.

Q. You came in--now, when you came in, did you relieve the night watchman?

A. You mean that Friday morning--that Saturday morning?

Q. Was that your habit?

A. All the time.

Q. Who opened up the factory next morning?

A. Well, I always opened the doors down there, and the blind and

the door right back of the motor.

Q. Who opened the balance of the factory?

A. The balance of the factory upstairs, I dont know anything about that; I suppose some of the men, that go to work up there, open up.

Q. Now listen, to come down to the day, that Saturday, of the murder. What time did you get in that morning?

A. I got here at 6:20.

Q. Did you see Newt Lee?

A. I did.

Q. What time did Newt leave the factory?

A. He left as soon as I came in.

Q. Did you open up the factory that day, Mr.Holloway?

A. No sir, I did not. I might have opened one or two of them blinds on the left to make it light coming in and out.

Q. Did you open up the balance of the factory?

A. No sir, I did not. I never opened nothing except one or two blinds there to make it light going in and out.

Q. That's the right hand blinds as you come up the first floor?

A. Yes sir.

Q. Do you remember what the condition of the elevator was as you came up that morning?

A. I do not.

Q. You dont remember whether it was open or closed?

A. No I do not.

Q. The elevator shaft is closed by sliding blinds, is it not?

A. Sliding up and down. They slide up and down.

Q. And then you put a slab across?

A. Yes, a bar.

Q. You call it a bar?

A. Yes sir, to keep anybody from falling in.

Q. The doors are flexible?

A. Yes sir.

Q. Can yourmember what their condition was that day, when you came up?

A. No sir, I cannot.

Q. Now, Mr.Holloway, who else was here except the watchman, when you came that morning?

A. Nobody.

Q. How long did you stay here before someone else came?

A. I think it was about 7:30 that Harry Denham came in.

Q. He was one of the young men, that worked on the fourth floor that day?

A. Yes sir.

Q. What is his business in the factory? What job does he hold here?

A. I really dont know. He works on the top floor--he looks after some of the painting and varnishing department, a sort of assistant foreman.

Q. Do you know what he was going to do here that day?

A. He was going to fix some tools.

Q. He was going to do some work on the machinery on the fourth floor?

A. Yes.

Q. Now then who else came after that?

A. Arthur White.

Q. He came about what time?

A. About 8:00 o'clock.

Q. When he went upstairs to the fourth floor himself?

A. Yes sir.

Q. Now what job does he hold up there?

A. Assistant Foreman.

Q. What time did the office boy come in?

A. I think he came in between 8:00 and 9:00--I wont be positive.

Q. What is his name, Mr.Holloway?

A. Alonzo Mann.

Q. About how old a boy is he?

A. He claims to be about 15.

Q. When you came up that morning, did you look at the time clock?

A. I just looked at it, to see it, to see, if anybody come in--like Denham and White--to see that it was set to register right.

Q. You didnt do anything else to the clock?

A. No sir.

Q. They are twin clocks, are they not?

A. Yes sir.

Q. One for the daytime and one for night?

A. No sir, they both run all the time. You can use either one of them. The reason they have two, there's just 100 numbers on each clock, and we had over 100 hands, and had to have another clock. The clock is set to register morning in, noon out, noon in, and noon out.

Q. When is the "noon out"---in the evening?

A. In the evening, when they go out at night. When I come in there in the morning, the first thing I do is to see that that hand is set to register "morning in"---that's when the hands go to work

Q. You set it that morning because there might be somebody working in the building?

A. Yes sir.

Q. And in fact there were two people?

A. Yes sir.

Q. Now who was the next one you saw come in after the office boy? Did Mr.Frank come before or after the office boy?

A. I am not exactly sure, but I think though that the office boy came before Mr.Frank did.

Q. Now then about what time did Mr.Frank come?

A. About 9:00 o'clock. He told me the evening before "I'll be here in the morning about 9:00 o'clock".

Q. Now who else did you see come into the factory from the time Mr.Frank came until you left? Just give them in their order, if you can, or as near as you can.

A. Well, you mean you want them now, that come into the factory?

Q. After Mr.Frabk came until 12:00 o'clock, or about the time you left.

A. Well, Mr.Irby, the shipping clerk, came in.

Q. About what time did Irby come in?

A. About 9:00 o'clock.

Q. Now then how long did Irby stay?

A. No, make that 8:00 o'clock.

Q. Then he must have come before Mr.Frank?

A. I was going to say, Mr.Frank told him the evening before for him to come in and make out one or two things next morning, and Irby came in about 8:00 o'clock, and left at 10:00; he was there about two hours that morning.

Q. Where was the shipping department?

A. He was the shipping clerk, yes sir.

Q. I say where is the shipping department? Is that it just out beyond the outer office here?

A. Yes.

Q. Its the place where the door opens to where youx pay, just South of the outer office? You know there is a place there just South of the outer office, where you pay? Is that the shipping department?

A No, that's the packing department. The shipping department is beyond the steps from here. The shipping department is beyond the steps from here.

Q. Then he came in, and then after that Mr.Frank came?

A. Yes sir.

Q. Now who came after Mr.Frank?

A. Miss Mattie Smith.

Q. Who is Miss Mattie Smith?

A/ She is one of the girls, that worked here at that time. She worked on this floor right above the office.

Q. What time did Miss Mattie Smith come?

A. She came about 9:00 o'clock.

Q. Where did she go?

A. She sat down on a bench right there by the register.

Q. How long did she sit there?

A. Not over ten minutes.

Q. Then where did she go?

A. She stayed there until I could come in and get her envelope.

Q. Did she send somebody in to get her envelope?

A. Yes sir, she sent me.

Q. You came in and got her envelope and gave it to her?

A. I did.

Q. Then where did she go?

A. She went back and told Mr.Darley that there was a mistake in her time. Mr.Darley was out there. He got it, and he ~~xxx~~, Mr.Darley and Mr.Frank corrected the mistake.

Q. Did she come in with ~~xxx~~ them, when it was corrected?

A. No sir.

Q. Mr.Darley came in to Mr.Frank?

A. Yes sir, they came in together.

Q. You didnt come in with them?

A. No sir.

Q. They corrected it, and Mr.Darley carried it back?

A. Yes sir.

Q. Then where did she go?

A. Then she and Mr.Darley went down the steps together.

Q. About what time was that?

A. About 9:15.

Q. Who was the next one, that came, Mr.Holloway?

A. Well, I went up in the building a time or two that morning, and up on the top floor where those boys were at work.

Q. Then you might have missed some people?

A. Yes sir.

Q. Who is the next one you remember? Do you remember Miss Hall?

A. She came in here, but I wont say what time.

Q. Did you see her in the outer office?

A. I did.

Q. What was she doing out there?

A. She seemed to be writing on the typewriter.

Q. Do you remember when Mr.Frank left the office that morning to go to Montag's?

A. I do. I think it about 10:00 o'clock, maybe later.

Q. Did you see him leave the building?

A. I did.

Q In what direction did he go when he left the building?

A. He went down the steps just like you came up.

Q. You didnt see him then when he went?

A. Not when he went down the steps.

Q. Well, did he have any papers in his hands?

A. He got a book or a folder--he always carried that. He had that that morning.

Q. You saw him when he came out with that in his hands?

A. Yes sir.

Q. About 11:00 o'clock he came back?

A. Yes sir.

Q. He came back by himself?

A. Yes sir.

AMERICAN JEWISH ARCHIVES

Q. Did he have that folder with him?

A. Yes sir, he had that same folder he always carried.

Q. Then he came upstairs and came into the office?

A. Yes sir.

Q. The stenographer had already got here?

A. Yes sir, I think so.

Q. Was she in the outer office, when he came in?

A. Yes sir.

Questions by H.J.Haas Esq:-

Q. Did you see Wade Campbell here that morning?

A. I dont remember now that I did, Mr.Haas.

Q. Did you see Mr.Darley come in?

A. I did.

Q. Did Wade Campbell come in with Mr.Darley?

A. I cant be certain about that.

Questions by L.Z.Rosser Esq:-

Q. Did you see Miss Corinthia Hall?

A. No sir, I did no t. That aint exactly right either--Miss Corinthia Hall and Miss Emma Clark, I met them coming in right out there as I left.

Q. How about what time was that?

A. That was ten minutes to 12:00.

Q. How do you remember that?

A. When I left here, it was 11:45, and I met them right out there on the corner of Broad and Hunter Street, that would make it about 11:50.

Q. They were coming here?

A. Yes sir.

Q. Did you speak to them?

A. Yes sir, and they said they were coming to the shop to get a cloak. Emma Clark had left her wrap here the evening before, and she said she was coming here after her wrap.

Q. She is the girl, that got married?

A. Yes sir. She asked me if there was anybody here to let her have it, and I said "Yes, Mr.Frank is in the office".

Questions by H.J.Haas Esq:

Q. Did you see the father of Jimmy Graham, and the step-father of the other little boy, that was hurt by the automobile?

A. You mean the elevator?

Q. I dont know about that. Jimmy Graham was one of the little boys' names, and I dont know the other little boy.

A. He never did get hurt by an automobile; they started the automobile up there, and the automobile ran off down the street itself.

Q. What was the boy's name?

A. Earl Burdett. Neither one of them was here that morning.

Q. Well, were their fathers here, their father , the father of one and the step-father of the other?

A. They may have been while I was upstairs.

Questions by L.Z.Rosser Esq:-

Q. Did you see anybody else here that morning, that you remember, except those you have told us about? You saw the stenographer and the Mann boy, and you saw Mr.Darley of course, and Miss Smith and you saw Corinthia Hall and the Clark woman coming this way. Now did you see anybody else that day?

Question by Mr.Arnold:-

Q. You didnt tell Mr.Frank you were going, when you went?

A. Yes sir, I did. I always told him.

Question by Mr.Haas:

Q. Did you see May Barrett here that morning?

A. I saw May Barrett here. She came up the steps out there just as I went down the steps there to go home, and she said "Mr.Holloway, I want to see Arthur White"; I said "go up stairs on the top floor where he is." She came in as I went out.

Qquestions by L.Z.Rosser Esq:-

Q. Now, when you got back from Montag Bros--I mean when Mr.Frank got back from Montag Bros., what conversation did you have with Mr.Frank?

A. Nothing except Mr.Frank asked me what time I was going, and I said "I am going as soon as I can do a little sawing for these men up here".

Q. Did you do the sawing?

A. I did.

Q. Did you start the motor to the elevator?

A. I did.

Q. Did you stop the motor to the elevator when you got through?

A. Yes sir.

Q. What time did you do that work?

A. Just a few minutes before I left here--I might say 11:40.

Q. You just did some little work?

A. Just ripped open two little planks.

Q. How did you start the motor? Was there a box there to start the motor?

A. Yes sir.

Q. Was it locked or open?

A. I think it was unlocked.

Q. You left it unlocked?

A. I did.

Q. You didnt look it again? You know that?

A. No, I did not.

Q. When you left there, the box, that controlled the motor, was unlocked?

A. Yes sir.

Questions by Mr.Arnold:-

Q. You had told Mr.Frank that you were going away as soon as you did this work?

A. I did.

Q. You construed that as notifying him that you were going, but you didnt come back afterwards, and tell him when you were going?

A. Yes sir, I did. When I always went out, I always come here and told him, and he always says "shut the doors, when you go", and I went down and shut those two doors at the top of the steps, and shut the outer door, but didnt look either one of them.

Q. You had told him in advance that as soon as you did this little work you were going?

A. After I done that sawing, I said "I am going now, M .Frank",

and he said "All right; shut the door as you go out".

Questions by L.Z.Rosser Esq:-

Q. But you didnt look it?

A. No sir.

Q. Now, Mr.Holloway, the little Mann boy---do you know when he left the factory?

A. No sir.

Q. Was he here when you left?

A. I wont say he was or was not.

Q. Miss Hall was here when you left?

A. Yes, she was. She was doing some writing on the typewriter.

Q. Mr.Holloway, when you left the office, Arthur White and Harry Denham and May Barrett were in the building?

A. They were, yes sir.

Q. Was anybody with May Barrett?

A. No sir.

Q. Her daughter was not with her?

A. No sir.

Q. You say they were in the building. Wasnt Mr.Frank here, and Miss Hall, and...

A. I mean besides those.

Q. Did you see any darkey around here at all that morning?

A. No sir.

Q. You never saw a negro here that morning?

A. No sir.

Q. Did you go up and down the steps that morning?

A. Yes sir, not less than a half a dozen times.

Q. You were not looking for anybody?

A. No sir.

Q. He could have hidden himself?

A. Yes sir.

Q. As a matter of fact, you didnt see him?

A. No sir.

Q. If he had been sitting there by the side of the elevator on a stool, would you have seen him?

A. No sir, not being dark there like it was, and me looking right straight out, I might or might not have seen him.

That gas jet was not burning there.

Q. Was the gas burning at the top of the stairs that day?

A. No sir, it was not. It was not burning anywhere but at the register, and it was burning there very low.

Q. You didnt come back that day at all?

A. I did not.

Q. You didnt see the little Phagan girl?

A. No sir.

Q. You didnt see the little Stover girl?

A. No sir, I did not.

Q. And you didnt get back to the factory till when?

A. Monday morning at 6:30.

Q. You didnt come here then on Sunday at all?

A. No sir, I didnt know anything about the murder until I heard it, and I went down to the undertaker's.

Q. Who was at the undertaker's, when you got there?

A. A big crowd. I saw Mr.Frank and Mr.Darley.

Q. What time was that?

A. 2:00 o'clock.

Q. You didnt get to the undertaker's yourself until 2:00 o'clock?

A. About 2:00 o'clock.

Q. Did Mr.Frank go into the place where the little girl was, while you were there?

A. He did not. He was just inside there, but where she was laid out, he didnt go in there, while I was there.

Q. You went in there?

A. Yes sir. I recognized her at once.

Q. Did you know her name?

A. Yes sir.

Q. How old was she?

A. She seemed to be a girl about 15 years old.

Q. How much would she weigh, you think?

A. Between 130 to 140 pounds, a vigorous strong girl---big feet, good form, and she was fleshy.

Q. Was she stout or weak?

A. A stout heavy girl.

Q. Then you didnt see Mr.Frank, except that time, on Sunday?

A. I saw him down there, and then at the station house.

Q. Did you go with him to the station house?

A. I did not. I didnt go with him, but I went down there.

Q. Tell me what took place down there, while you were down at the station house.

A. Well, all of us boys, that work here, were down there looking over these letters, that they had there.

Q. Did you have them in your hands?

A. No sir.

Q. Did you take hold of them?

A. No sir.

Q. Did any of the other boys take hold of them?

A. Not that I know of. They were looking over them this way to see if they could tell whose writing it was.

Q. How many notes did they show you?

A. Seemed to be two.

Q. What sort of paper were they written on?

A. One was on yellow paper, and one was on white.

Q. You dont remember what was on the papers?

A. I do not.

Q. Did you know the handwriting?

A. No sir.

Q. Was it Mr.Frank's handwriting?

A. No sir.

Q. You know his handwriting?

A. I sure do.

Q. You didnt know whether it was New Lee's or Jim Conley's, or whose it was?

A. No sir.

Q. Did Mr.Frank say whose handwriting he thought they were in?

A. No sir.

Q. Did Mr.Frank take hold of the notes?

A. He did.

Q. How long did you all stay down there?

A. About an hour.

Q. Then where did you go?

A. I went from there back to the undertaker's.

Q. Did Mr.Frank go with you?

A. I dont think he did.

Q. Do you remember whether he was here Monday morning or not? Was it Monday morning or Tuesday morning he was here?

A. I am not sureabout Monday morning. He was here Tuesday morning.

Q. You are not sure whether he was Monday morning or not?

A. No sir, I am not.

Q. When did you see him at any time on Monday? Were you at the station house on Monday?

A. No sir, I was not.

Q. Did you know that negro Conley beforehand?

A. He has been here two years.

Q. What kind of work did he do here?

A. Running the elevator and sweeping.

Q. He knew all about running the elevator, didnt he?

A. He sure did.

Q. He had the whole run of the factory?

A. Yes sir.

Q. He knew all about this second floor?

A. Yes sir.

Q. What kind of work did he do on this second floor, that would carry him to any part of it?

A. Sweeping.

Q. It carried him to every part of the floor, didnt it?

A. It surely did.

Q. Did he sweep the metal room?

A. No, he didnt sweep the metal room, but he went back into the metal room to pick up the trash.

Q. That carried him to every part of the metal room, to where he claimed this body lay, and where he claimed he dropped it; and it carried him to where he claimed he got those crocus sacks, and in fact he was perfectly familiar with everything on this floor?

A. Yes sir.

Q. And you say he was familiar with running the elevator too?

A. Yes sir.

Q. How long had he run the elevator?

A. He had been running the elevator off and on ever since he has been here.

Q. Was he familiar with the basement?

A. Yes sir, familiar with everything.

Q. What did he do in the basement?

A. Well, the trash he would sweep up, and he would have to go down with it on the elevator to the furnace. That was his job to carry it down there, and put it in the furnace.

Q. Then was he familiar with those dust bins there too?

A. He was familiar with it, but I dont know that he would ever go back there.

Q. Did he ever go back to the back door?

A. I dont know about that.

Q. Did you all ever have anything for the City carts to carry off from the back door?

A. No, not the City carts. All the stuff we would dispose of was ashes and cinders, and the wagons from the slat mill always carried them off.

Q. He used that toilet back there, didnt he?

A. Yes sir.

Q. Did you ever catch him drinking down there?

A. I hardly ever went down, but I caught him drunk one time, Mr. Darley and I did. We didnt catch him drinking, but we went down there hunting for him, and found him so drunk he couldnt hardly get up here.

Q. He did do it?

A. Yes sir.

Q. Did you ever notice him get away early on pay-days to escape the Bill collectors?

A. Yes sir, he always did it.

Q. How did he get away?

A. He would leave before the whistle blew, and tell some of the balance of them to get his envelope, and bring it to a certain place out in the street or somewhere.

Q. Did he ever try to borrow any money from the other hands here?

A. He was always trying to borrow money.

Q. Did he ever bother any of these little girls to borrow money from them?

A. I dont know whether he ever undertook tomborow any from the little girls, but he undertook to borrow from these grown women, fore-ladies. Miss Mary Pirk back in the hand-polishing

room lent him money several times.

Q. Now, another thing--do you know of any hands ever getting their fingers hurt here back in the metal room?, that would cause them to bleed?

A. Frequently that way.

Q. That has happened frequently?

A. Yes sir.

Q. When a man would get hurt back there anywhere, would he not come towards this exit, here towards the office naturally--he would come right this way for treatment, come right here towards the office, holding his hand?

A. Yes sir.

Q. He would have to come by that closet door in getting out?

A. He was obliged to come by there.

Q. How many have you known to come by there bleeding?

A. Several.

Q. Within what time?

A. All times of the day, as far as that goes.

Q. Did this negro know that that was not an unusual thing among the people working here, that any of them would get hurt?

A. Yes sir, he has been working here often when they would get hurt.

Q. Mr.Holloway, was Mr.Frank here at all on Monday after the murder?

A. I think he was here Monday evening. He was here Tuesday morning too, I think.

Q. Do you know how long he stayed that evening?

A. No sir.

Q. You dont remember what he did that evening?

A. No sir, I just remember his being here.

Q. You dont remember what time he left that evening?

A. No sir.

Q. Now you say Tuesday morning he was here?

A. I wont say for sure that he was or not.

Q. Dont you remember Tuesday morning about 10:00o'clock one of the Pinkerton men came after him?

A. Yes, I surely remember that.

Q. Then they took Mr.Frank away that time?

A. Yes sir.

Q. So he was here until about 10:00 o'clock that morning?

A. Yes sir.

Q. Now you dont remember what time he came in Tuesday morning?

A. I do not.

Q. But you remember his being taken away from here Tuesday morning about 10:00 o'clock?

A. Yes sir.

Q. You also remember he didnt come back?

A. Yes sir.

Q. From that Tuesday morning until this hour he has not been at the factory at all?

A. No sir.

Q. Do you remember whether anybody was paid through the pay-window that Saturday?

A. There was not.

Q. Generally, are they paid through the pay window?

A. Always.

Q. Mr.Holloway, did you ever know Jim Conley to be drunk here in the building?

A. I have.

Q. When?

A. I wont say when, but it was two nights before they put this negro Newt Lee here, he was drunk upstairs in the packing room until 7:30 one night, and until 9:00 o'clock one night.

Q. Who found him?

A. The night man, Mr.Kendrick; and the fore-lady out here in the packing room ran over him here one night there drunk.

Q. What's her name?

A. Eula May Flowers.

Q. Mr.Holloway, did you see Conley Monday after the murder?

A. I did. He came in here at his regular time.

Q. Did you see him at any other time during the day after he registered on Monday?

A. I did. He was around in the building here.

Q. Did you have any conversation with him?

A. I didnt in particular.

Q. You saw nothing peculiar about him that day?

A. No sir.

Q. Did you see him Tuesday?

A. Yes sir, he came in at his regular time Tuesday morning.

Q. Did he do his work during the day here?

A. I hardly ever saw him. He worked upstairs on the top floor.

Q. Did he come in on Wednesday?

A. Yes sir.

Q. Did he come in at his usual hour?

A. Yes sir, and I saw him again on Thursday.

Q. What attracted your attention to him on Thursday?

A. About 1:00 o'clock on Thursday I caught him washing a shirt back in the metal department.

Q. Had he finished washing it when you found him?

A. He was just about ringing it out, out of the water, fixing to hang it on those hot steam pipes to get it dry.

Q. Did you examine the water he washed the shirt in?

A. I did, but it was running water at the faucet, that he washed it in. It was turned on from the faucet.

Q. He didnt have the water in a pan or tub? He washed it in running water?

A. Yes sir.

Q. He was rinsing it out?

A. Yes sir.

Q. Did he have soap there, that he was washing it with?

A. I didnt see any soap.

Q. Where was he going to hang it?

A. He was going to hang it on those steam pipes, and I asked him what he was doing, and he said he was washing his shirt. I looked at it, and watched it very carefully, but I couldnt see any blood or anything. It looked so dirty ; I took it up and looked at it, but I couldnt tell.

Q. Was he washing it in something, where the water could have been stopped?

A. He could have done it, but the water runs out of that vat---there is a hole in it---as fast as it runs in.

Q. Was he washing it in running water purposely?

A. I dont know if he was purposely, but the water runs out as fast as it runs in.

Q. You couldnt have stopped t up then---there was no stopper?

A. He could have stopped it.

Q. What was his manner, when you caught him?

A. He seemed to be pretty nervous, and worried about something. I come right in here, and told the police to come and get him.

Q. You have never seen him since?

A. Yes, I saw him. I dont remember what day it was---that was the next day we were all down there---I never saw him any more until that Thursday down at the station house.

Q. You didnt say anything to him?

A. No sir.

Q. Have you ever talked to him since?

A. No sir, only down at the detectives' office.

Q. Did you go to the detectives' office to see him?

A. Yes sir.

Q. What day was that? Was that before or after the Inquest closed?

A. That was some time after the Inquest---two weeks afterwards.

Q. How came you to go down there?

A. They phoned me to come down.

Q. The detectives?

A. Yes sir.

Q. When you went down, where was Conley?

A. He was in Lanford's office.

Q. Who was in there?

A. Starkes, and Lanford, and Black.

Q. Now what did they say to you, when you went in?

A. They asked me---Scott was in there too---Scott said "Mr.Holloway, do you remember seeing a one-legged man go up with some freight that morning"? I told him I did.

Q. There was a one-legged man came up that morning?

A. Yes sir. I was sitting in that outer office there.

Q. Where did he go?

A. He come here, come up here after me to check some freight that he had from the Pittsburg Plate Glass Company. I went down there and checked it.

Q. Who was it had the freight?

A. A one-legged negro. He was sitting inside of the door.

Q. What time was that?

A. About 10:00 o'clock.

Q. Did anybody call your attention to the fact before you had Conley arrested that he was acting funny here in the factory?

A. No sir, they didnt call my attention to it before that time, but some of them said after I had him arrested that he looked sort-of suspicious to them. After I had him arrested, went back there, and talked to him about his shirt, it looked a right smart that way to me.

Q. Do you remember any of the girls, that spoke to you about it?

A. No sir.

Q. Mr.Holloway, did Mr.Darley ever talk to you and ask you to watch him?

A. Mr.Darley told me to watch---he said "you watch him".

Q. Now go on, Mr.Holloway---Mr.Scott asked you if you saw a one-legged man there. Did he ask you anything else?

A. He asked me if I checked in freight for him.

Q. Did you talk to the negro?

A. I didnt talk to him.

Q. Did you hear them talk to him?

A. Yes, we were all sitting around like we are here now.

Q. What did they say to Conley?

A. They asked him did Mr.Holloway see that man come in that morning.

Q. Where did he say he was at?

A. He didnt say.

Q. Did he say he knew anything about the crime that morning?

A. He didnt say anything at all.

Q. The only thing they asked him about in your presence was about this one-legged negro?, and his coming in with that freight?

A. He asked me did Mr.Darley come down with Miss Mattie Smith standing there at the door, and I told him he did. He asked Conley did Mr.Darley come down, and talk with Miss Mattie Smith down at the door, and Conley said he did.

Q. When you came down with that negro, and checked up the freight, did you see any darkey at all?

A. I did not.

Q. Were you in a position where you might have seen down there at that time? Did you go back there far enough so you could

have seen?

A. No, I walked up and down the steps, right to the outside, and right back.

Q. If the negro had been sitting right at the edge of the elevator, you could have seen him?

A. Yes sir.

Q. He was not there, that you saw that morning?

A. No sir. I could have seen him, if I had happened to have turned around and looked, but I dont recollect whether I looked or not.

Q. Mr.Holloway, when was the first time you recall seeing a man, whom you were afterwards told was Mr.Mincey?

A. Mr.Mincey—I dont remember whether he was here Monday or not.

Q. Monday following the crime?

A. Yes sir. He was in here Tuesday about 8:00 o'clock.

Q. You dont remember whether it was Monday or not?

A. No sir.

Q. What did he tell you Tuesday morning?

A. He came in here Tuesday morning, and said "how many negroes have you got at work here"? I said "we have got seven or eight working here in the building". He said "you ought to have every one of them arrested. Mr.Mincey and two or three detectives, and two or three reporters were out there, and Mr.Ed Montag was over here. Mr.Montag remarked to Mr.Darley that he thought some of them had better be kept out, that it looked like they had the girls all excited, and they couldnt work, and "you had better stop them all from working in here", and so I said "gentlemen, you had all better get out, and dont come in any more", and I stayed down about the front.

Q. Did you see Mincey any more?

A. Yes.

Q. Was he there a few days after that?

A. Yes.

Q. Did you have any talk with him after that?

A. Yes.

Q. What did he say to you?

A. I dont remember.

Q. Did he tell you about having a talk with Conley himself?

A. Yes sir.

Q. He told you what Conley told him?

A. He never told me what Conley told him until I was up at your office, but he seemed to think that Conley had told him something, that he had not told us.

Q. He told you he had had a talk with Conley, but he didnt tell you what?

A. Yes sir.

Q. But he did tell you finally what he told him at my office?

A. Yes sir.

Q. What did you say to Chief Lanford about dividing the reward?

A. The day they brought Conley down here, and hem went around here with him, and we started out yonder at the steps, and they were fastening the handcuffs on him, and Lanford was standing there right by me, I said "now, old man, if that negro is convicted, he is my "nigger". He said "Oh, well, we will divide that up".

Q. Were you here, when they took Conley around the building?

A. I went around with them.

Q. Do you remember, when they came to the place, where he said he dropped the little child, if they said "right here is where you dropped her at, is it not"?

A. Yes sir.

Q. Didnt the negro go the other way from where the wood was chipped up?

A. Yes sir, he was going there to find the blood at least 50 feet from the place where it was.

Q. To find the blood?

A. Yes sir.

Q. Then, when they went over there by the metal machine, they said "here is where the body was found"?

A. Yes sir.

Q. And the negro was going away from there?

A. Yes sir.

Q. Did you see them when they came in the door with the negro?

A. I did. I let them in.

Q. You went with them?

A. Yes sir.

Q. Was the negro handcuffed?

A. Yes sir. They kept him handcuffed all the way around.

Q. Which way did they come into the factory?

A. They come up the steps like you did.

Q. Did they say anything to him, when they got him to the top of the steps? If so, what did they say to the negro? Did they say anything to the negro, or did they speak to Mr. Schiff?

A. I think they spoke to Mr.Schiff.

Q. What did they tell Mr.Schiff they wanted him to do?

A. I dont remember.

Q. Where did they go then?

A. They went back to the metal department.

Q. Did the negro say, as they went where they chipped up the floor—did he say anything about that being the bloody place at the time?

A. No sir, he didnt say anything about that.

Q. Did Mr.Schiff show them where they found the girl or did the negro show them?

A. I think the negro showed them. I wont be sure now, because there was a crowd along together, and I couldnt say.

Q. When they came back, did they tell him to show them where he dropped the girl, and he started to show them another place, or did that happen the first time?

A. They didnt stop the first time at all.

Q. That was when they came back?

A. Yes sir. The negro said "let's go back this way", and he showe them a place about 20 feet the other way, and Lanford said "Here is where they dropped it". Now they said "aint this about where you dropped the girl"? and the negro, he had started in another direction, and then he said "yes sir". They said "aint this where you dropped it"? and he said "yes".

Q. Now, when they came back, was anything said, that attracted his attention to those crocus sacks, when they got along there? How did that happen, Mr.Holloway? Do you remember that?

A. Yes, one of them asked him where he got those crocus sacks at.

Q. What did he say?

A. He said "I got them around in here", and went around in there,

and showed them.

Q. Did he know those crocus sacks were kept there?

A. I think so.

Q. Were they in the habit of being kept there?

A. Yes sir.

Q. What did they have in them?

A. 50 to 75 pounds of cotton in them to use in the hand-polishing department.

Q. Had those crocus sack with cotton in them been there a long time?

A. Been there ever since I had been there.

Q. He was in the habit of sweeping down there?

A. Yes sir.

Q. Then they brought him and carried him down the elevator?

A. Yes sir.

Q. Who ran the elevator for them?

A. Mr. Schiff ran the elevator, I think. I turned the motor on, but Mr. Schiff ran the elevator down.

Q. When he got down to the bottom, he said he toted the little girl?

A. He said after he got to the elevator, he carried her just a little ways, and dropped her, and "then I took her on my shoulder, and carried her back to where she was found".

Q. He said he dropped her down there too?

A. Yes sir. Then he put her back on his shoulder, and placed her in that place there where she was found.

Q. Did he ever say anything at that time about noticing the cord around her neck, or the petticoat around her neck, or anything about that? In all this talk and this conversation did he mention or state that he saw this, or anything about it?

A. He said there was a cord laying back yonder where he first found her at.

Q. He didnt say anything was around her neck, when he found her?

A. No sir.

Q. He didnt say anything about the petticoat being around her neck?

A. No sir, I dont think he did.

Q. Your recollection is that he didnt say anything about the cord being around her neck, or the petticoat being around her neck, but said there was a cord laying where she was?

A. Yes sir.

Q. Were those cords laying all over the factory?

A. Yes sir.

Q. Did they keep them in here at all?

A. No sir.

Q. Where do those cords come from here?

A. From the slat mill; there's bundles of slats tied up with those cords.

Q. They are pretty strong cords?

A. Yes sir.

Q. Where are those slats kept?

A. Up on the next floor.

Q. Those cords are kept on the third floor?

A. Yes sir

Q. But they may be on any floor?

A. Yes sir.

Q. Were not all those sacks around there full of cotton on the 26th of April? Was there a single empty sack there?

A. If there was any empty there, I didnt know it.

Q. Were they not all supposed at that time to be full of cotton?

A. If there was any sack there, if he got an empty sack, he emptied the cotton out of it.

Q. Then there would have been a pile of cotton there to show for it?

A. Yes sir.

Q. You would have noticed it, if there had been an thing there?

A. Yes sir.

Q. Did any of those officers tell you that there was marks of dragging, or did you notice the marks of anything being dragged?

A. I didnt go down there at all.

Q. Did you hear any of the detectives say anything about that?

A. I didnt hear any detectives; I heard the policemen.

Q. Mr.Holloway, do you know whether Conley is right-handed or left-handed?

A. No, I do not.

Q. Which side of the drawers was split?

A. The right hand.

Q. Which side did he say he toted her on?

A. On the right shoulder. The day--I never had told you all about it, and I dont know as it will amount to anything--but the day before I caught him washing that shirt, he came down, and said "Mr.Holloway, here's a pair of overalls; I want to take them to Joe; and I wont be out but about 15 minutes". I asked "Which Joe"? "Where does Joe work"? He said "he works over here at Block's", and he went out.

Q. Did you see the overalls?

A. I did. He came back, and brought the overalls, and laid them down on a box, and he said they were taking stock at Block's, and they wouldnt let him see Joe--but the overalls had been washed clean, and had not been worn since they were washed.

Q. That was the day before you caught him with the shirt?

A. Yes sir.

Q. Did he afterwards take those overalls away?

A. He got them that night, when he came out.

Q. Did he wear those overalls the next day?

A. He couldnt wear those overalls himself.

Q. How late do you usually work?

A. I always leave here at 5:25.

Q. On holidays what time?

A. No regular time; I almost always stay till 12:00 o'clock.

Q. Mr.Frank always worked Saturday afternoons?

A. He always stayed here till anywhere from 2:00 to 4:00 o'clock; stayed until everybody got out of the shop. Mr.Frank was usually the last man to leave.

Q. Mr.Holloway, whenever there were negroes at work here on holidays or Saturday afternoons, did you always stay till the negroes left?

A. I always stayed until everybody left the factory. I never left nobody in the factory but Mr.Frank at his desk. When I went, I always told him I was going. It has been a good while ago, Colonel, that Mr.Frank told me "there's no use in your staying here until the night man comes on after they all get out of the shop; you can go ahead, and just shut the door".

Q. He did tell you that?

A. Yes sir, over a year ago.

Q. You sometimes done that?

A. I always done that. I got everybody out of the building, and then I either went away, or waited for the night watchman.

Q. It was not unusual, when he was sitting here, that he excused you?

A. Yes sir. I would always tell him I was going, and I would never leave nobody in the building.

Q. He never would fail to excuse you when you wanted to go?

A. No sir.

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EXAMINATION OF HERBERT H.SCHIFF.

Q. Mr.Schiff, you were not here the day of the murder?

A. No sir.

Q. You left the day before?

A. I left with Mr.Frank on the night of the 25th.

Q. You and he left here together?

A. Yes sir.

Q. At what hour?

A. About 6:30, 35 to 7:00.

Q. Do you know whether or not he was going to stay here the next day?

A. He had not definitely made up his mind whether he was going to the baseball or not.

Q. He was coming back the next morning?

A. Yes sir.

Q. Did he say anything to you about the baseball?

A. He had a conversation with his brother-in-law, and he said, "Charlie, I'll let you know".

Q. Did you have any conversation with Mr.Frank on Saturday?

A. On Saturday morning I was in bed, and the phone rang.

Q. About what time?

A. The first time about half past 9:00 or a quarter to 10:00. The maid came up to my room, and said that the office boy at the factory says Mr.Frank wants to know if you are coming to the factory. I answered "I'll be down in a few minutes".

Q. What did you do---turn over and go to sleep?

A. Yes sir, but he expected it.

Q. Was there any other call for you?

A. I got a second call about a quarter to 11:00 to know if I was coming.

Q. What did you say then?

A. Half way in my sleep I remember saying distinctly "I'll be down".

Q. But you didnt come?

A. Yes sir.

Q. Then you know nothing of what happened here during the day Saturday, Saturday before the murder?

A. No sir.

Q. You had no communication with Mr.Frank?

A. No sir.

Q. The first intimation you had of the murder was Sunday morning, at what hour?

A. About half past 10:00 Mr.Darley called up, and told Mother not to frighten me, but there had been a murder committed at the factory.

Q. Then what did you do?

A. Mother hung up, and came up and told me. I thought she had misunderstood. I ran downstairs, and called the factory, and asked Mr.Darley if it was true that there had been a murder committed at the factory, and he said there had been, and he would like for me—at least they were going to Bloomfield's during the afternoon, and for me to come to Bloomfield's. So instead of my coming down to the factory, I waited then, and went directly to Bloomfield's on Sunday afternoon.

Q. Then what happened?

A. When I got to Bloomfield's, there was quite a few people, crowds in the street, and sitting inside in the lobby was Mr. Darley, and Mr.Frank, and Mr.Holloway, and one or two of the foremen.

Q. Of the factory here?

A. Yes sir. And none of us spoke; we just looked at each other, bowed as we came in—everybody was feeling bad—and I was in there about three minutes, and Mr.Frank says "have you been back to the body"? I said "No, I dont care to see it".

Q. You didnt go back to see it?

A. I did later in the afternoon.

At that time Mr.Frank said to Mr.Darley and myself "let's go outside on the street". We went out; we stood there for a minute or two, and then they said "let's go to the station". I didnt catch "the station" at first;I thought they meant the Union Station--I didnt know why--but I later found that they were going to the Station House. There was quite a crowd down there; we went in and knocked on the door, and Chief Lanford was sitting at his desk....

Q. At whose door?

A. Chief Lanford's, Chief of Detectives. We went in and the first thing I asked to see was the notes.

Q. Who had told you about the notes?

A. Mr.Frank. For the simple reason, I will explain why. This book is only allowed to be used by Mr.Frank and myself; it had our writing in it, and I was afraid that the desk might have been prized open, and they had used something with our names signed to it, and thatwas my reason for wanting to see the notes at once after they told me that this was on a National Pencil Company order blank. Mr.Lanford took them out of an envelope, and handed me one, and handed Mr.Frank one. There were two of the notes, and one was on scratch pad paper and the other on an old order blank from 19--I guess--09 or 10, for I could recognize a number written on the corner by a German named Becker, who was at that time foreman of our plant. He ran serial numbers entirely different from this office, I could tell his numbers ran different from what ours ran.

Q. You know his handwriting too?

A. Yes sir.

Q. The writing on that order blank, thenumber on it, you say is a different number from what you use?

A. Yes,from the serial number we use.

Q. You also know the handwriting of Becker?

A. Yes sir.

Q. Where do they keep those papers?

A. After I looked at it at once knew it was from either one of two places. Either sombody came in the office, and took an old one, which had been stacked up in the office, or it went down in the trash, most likely went down into the basement in the trash, for the reason that they were swept all around,

and very easily an old book might fall down, and get in the trash, and again there is always an accumulation of these old tablets used all over the factory; and I knew the negroes had had them; they had gone down, and wrote notes home, and come out and get a stamp.

Q. Where was that particular one kept? Whereabouts was it kept?

A. We used to have a stack of them here, stacked out there. Even the office boy is privileged to get them out.

Q. Is there the common place, where they would all come and get them?

A. Yes, right out there on that third shelf.

Q. In the outer office?

A. Yes sir.

Q. And the door is never locked?

A. No.

Q. And they were all over the factory?

A. Yes sir. The yellow ones, the new ones, are right out there. The old ones are on the right, stacked over here in shelves in the outer office.

Q. How do they get mixed up in sweeping?

A. Very easily in dusting about in the shelves, and cleaning, the office boy cleaning.

Q. Does anybody ever use them to write on just as scratch paper?

A. Yes sir.

Q. They get into the sweeping by accident then?

A. Yes sir.

Q. How long has it been since you have used them?

A. Oh, I dont remember exactly whether 1909 or 1910.

Q. The ones, that Becker put his initials on, where were they kept?

A. Some of his were brought down, some scattered over the factory upstairs. He kept nothing in routine, just anyway, just scattered numbers; he is liable to have written one on the fourth floor, and another back in the packing room, but they wouldnt stay in there of course, because we are cleaning all the time I have seen them two or three times myself, those old books, in the basement, in going through the basement.

Q. They were antiquated? You didnt use them for any purpose?

A. No sir. You know it was a carbon copy; not an original.

Q. It was a book of seconds?

A. Yes sir. Here's your original. This is used, and sent out, and leaves this second sheet, and we kept them by the book.

Q. Had the white sheet been used on that particular one or not, you suppose?

A. Yes sir. It evidently had been sent to the Cotton States.

Q. Why do you say that?

A. For the simplemxx reason that Becker done all his ordering practically from the Cotton States and the Continental Gin Company.

Q. You reckon you could get one of those old things out there?

A. Yes sir.

Q. Let's see where they are kept out there.

(They went out and examined the shelf referred to).

Now you were down yonder. What did you all do down at the station house?

A. Mr. Frank and I scrutinized those notes.

Q. You did have them in your hands and he had them in his hands?

A. Yes sir.

Q. Now was the balance of the book of this yellow paper taken off or was it found there?

A. No sir.

Q. Were not some similar order books found?

A. I never heard of xxxxx that. You could come in here practically any time and go down and find them.

Q. You have found them time and again?

A. Yes.

Q. They were all antiquated copy orders of no value?

A. No sir, no value.

Q. They are just waste paper packed up there?

A. Yes sir.

Q. Would it produce any inconvenience to the factory if anybody should take a few sheets out?

A. No sir, only out of the current ones.

Q. There was another place besides Frank's office where they kept them?

A. As I said, when Becker was here, he used to have an office

upstairs, and they were laid all around up there.

Q. That was up on the fourth floor?

A. Yes sir.

Q. Where were they kept on April 26th?

A. That's the only place out there I showed you.

Q. Those, that are out there now, are they in Becker's handwriting, or whose?

A. Mr.Frank's and mine.

Q. Is not that the old Becker orders left there?

A. I never have looked in the shelf very carefully, but I can go in less than a half hour, and find you two or three of his lying around the factory.

Q. Now that, that you got down there, whose handwriting was it?

A. Becker's.

Q. And whose handwriting was the notes?

A. Conley's.

Q. Was it Frank's?

A. It was not.

Q. Do you know Mr.Frank's handwriting?

A. I certainly do.

Q. You didnt know whose handwriting it was that day?

A. No sir.

Q. Did they make old Newt Lee write while you were there?

A. No sir.

Q. Did Mr.Frank write?

A. No sir.

Q. How long did you all stay down there?

A. About an hour and a half.

Q. Then where did you go then?

A. Mr.Frank and I left Mr.Darley at the station house. They had him confront Lee over in a room by themselves, and we waited with Chief Lanford in his office. Then Mr.Darley left, and Mr Frank and I stayed there about a half an hour longer, and then we came up Decatur Street to Five Points, and he says "you want to go to the factory"? I said "All right", and we walked up in front of the Constitution Building, turned the corner, and came down Forsyth Street on the far side, and there was quite a crowd here, and we went to the corner, and talked for

about five minutes, and I had to meet a train, and I walked with him to Jacobs Pharmacy, corner of Whiteball and Alabama Streets, saw him get on the Washington Street car, and then I went to the Union Station.

Q. When did you see Mr.Frank again? Were you here Monday morning?

A. The first time I heard from Mr.Frank on Monday he phoned me telling me that he had to go to the police station, and for me to come to the factory at once.

Q. Then where did he phone you from?

A. From home, I imagine.

Q. Did you come to the office?

A. Yes sir.

Q. Was he here?

A. No sir.

Q. What time did you get here?

A. About 8:00 o'clock. Then during the day rumors came out that they had arrested Mr.Frank; then I went directly to Montag's; and later on (I should say about 1:00 o'clock) I heard from Mr.Frank for the first time. He called me, and he said "Old man, I've heard that they have got rumors out that I am arrested; please stop them; I am not arrested; I am going home to dinner now".

Q. When did you see him again then?

A. Then he called me three times during the afternoon to find out if I had gotten a Pinkerton man yet. Then he came to the factory about 3:30.

Q. Were you here when he came?

A. Yes sir.

Q. Were you with him that afternoon?

A. Yes sir; there were about ten of us in the office.

Q. Did he do any work that evening?

A. No sir.

Q. Did he take any report over to Montag's?

A. I believe he took the financial. It was still laying under his inkwell. It was completed on Saturday, because frequently Mr.Darley comes in and finds out how we came out the week before.

Q. When did you see the financial?

A. I dont remember seeing the financial until it was brought back here from Mr.Montag's office.

Q. When was it brought back?

A. I think it was brought back from Montag's Tuesday.

Q. Now, do you know when he carried it over to Montag's?

A. No sir, I do not. We discussed that feature, in order to see if one of us could remember exactly when he took it over.

Q. Now, Mr.Schiff, tell me what work Mr.Frank done, that you know he done, and that you can give me a reason for knowing that he did it on Saturday.

A. Why, the work I have looked over--he acknowledged the orders....

Q. How do you know that?

A. The writing in the house order bookis in his own handwriting.

Q. How do you know that was done Saturday?

A. Because the orders were not brought over until Saturday. I know for a fact what orders were here, when I left on Friday night. I have got all those orders.

Q. Were those orders here, were they here, when you left Friday evening?

A. No sir.

Q. Were they here, when you came Monday?

A. Yes sir, I got the stuff out of the tray over there on Monday, and those orders didnt come over; I brought the stuff over in a tray on Monday from Montag's, myself. Mr.Frank was not here Monday morning, and I went and got the stuff, and I didnt bring it, and it got in here between the time I left Friday night and the time I went over for the tray Monday.

Q. What else did he do?

A. The financial sheet.

Q. You didnt know whether he wrote letters or not?

A. I have seen the dictation dated that day, and signed by Miss Hall, and Miss Hall said she took the dictation.

Q. How can we show that he worked on the financial sheet in the evening, and didnt work on it in the morning? How long does it take to get up this financial sheet?

A. Between three and four hours. Now he has to have certain data. I get that up for him.

Q. How much of this data do you get up for Mr.Frank?

A. I get up the number of gross of pencils, and his leadt delivery.

Q. When did you furnish that information?

A. It was not completed on Friday afternoon, so he had to work on that first before he could get to his financial. The pay-roll coming Friday, it set us back. We dont pay off generally until Saturday, and my working on the pay-roll all day prevented me from doing that work, and he said "just lay that down over on my desk, and I will do it". So he had to get that data up before he could finish his financial.

Q. Then that data you didnt furnish him?

A. No sir, it was not complete.

(On turning to the book containing the financial sheets the one for the week ending April 24th was found to be in the hands of Solicitor Dorsey).

Now on page 57 of the order book you will find his handwriting entering the orders.

Q. How do you know that was done on April 26th?

A. Because that was the orders, that came over that day. They were not here Friday evening.

Q. In addition to what else he said he done, dont he send a statement to Pappenheimer, and didnt he write a letter to old man Frank?

A. Here's the sheet he writes and sends to Pappenheimer and one to his uncle. (Pappenhiemer got it Monday morning, said Mr. Hosser).

Q. Now you both had hold of those notes?

A. Yes sir.

Q. You left there, and went home as you say?

A. Yes sir.

Q. You were here Monday evening, but he didnt do any work Monday evening?

A. No sir.

Q. Then Tuesday, did he come back to the factory Tuesday morning?

A. Yes sir, and every place he was Tuesday I was right with him.

Q. Were you upstairs with him on the fourth floor?

A. Yes sir.

Q. Were you away from him a minute or a second that day?

A. I would not say I was not away from him a second.

Q. Well, outside of his going to the toilet, and such lik , you stayed with him?

A. I stayed with him, yes sir.

Q. Did you stay with him all the time that he was on the fourth floor?

A. I was not right next to him, but I was in sight of him.

Q. Did he speak to that negro Conley that day?

A. I didnt see Conley at all.

Q. Could he have seen Conley on the fourth floor that morning without your seeing him?

A. No sir.

Q. Now, Mr.Schiff, did you see Conley around the factory until he was arrested on Thursday?

A. Yes sir.

Q. How often did you see him?

A. An average of 15 times a day.

Q. Did he attract your attention?

A. Yes, I think I said something to you that Conley was acting strange.

Q. What was he doing?

A. The first thing, I think it was Miss Mary Pirk, or somebody found him sitting down there—where you all asked whose dressing room was that Sunday morning—sitting down there with his head in his hands, and rambling around the factory, and sitting about sky-gazing, things we had never seen him do before.

Q. Who was it said he "wished he was a white man".

A. He.

Q. Tell us about that.

A. On Monday morning we tried to open our plant, as usual—things were so balled up that we couldnt—but we were shipping just the same. I was at the shipping room just at the time the factory was shut down, and people were running in and out, and detectives out in the hall and on the steps, and, when I went out of the shipping room, Conley was standing at the right of the shipping room, and I said "What are you doing out here"? He said "I am afraid to go down; I swear I would give a million dollars, if I was a white man". I said "What in the hell have you got to be afraid of"? "Walk on down the steps, and

go on out". Then he muttered there then for two or three minutes. Another negro out there--Joe Williams--will say the same thing; he heard him.

Q. Now then did you see him after he went to the station house?

A. On Thursday we were down at the Coroner's Inquest, and I went out the back to the toilet, and he and Snowball were in the cell together. I spoke to them, He asked me for a dime.

Q. Did you talk to him anything about it then?

A. No, and I didnt give him the dime, because this fellow Gantt came by, and Gantt handed them a quarter, and I didnt hand them anything.

Q. Then you didnt see Conley until they brought him to the factory after that?

A. No sir.

Q. Now tell that episode as clearly as you can from the time he entered until he went out of the factory, who was with him, what he was doing, and so on.

A. About half past 11:00 the day they brought him up, Harry Scott called me up, and said "Mr.Schiff, we are going to bring a few people up about 12:00 o'clock, and want you to clear the whole second floor for us". I said "All right". I closed the doors to the stairs, and closed the factory, and about 12:00 o'clock Starnes and Campbell came in and another fellow, and then later Chief Beavers drove up with another big crowd, and some reporters.

Q. How many people were there?

A. Between 18 and 20 people.

Q. How many names of them can you give?

A. Chief Beavers, Chief Lanford, Harry Scott, Starnes, Campbell, Black--I guess there was at least six or eight more.

Q. Did you know any of the reporters?

A. Yes, Harllee Branch of the Journal.

Q. He is the only one you can remember?

A. The Georgian men were here, and relieved each other, but I dont remember their names.

Q. Did the Constitution have a man here?

A. Yes. When they were here, they said "Mr.Schiff, we want you to be right with us, and hear every word, that is said, and

see everything that is done". I went with them. The first thing they said was "Conley, we want you to take us back, and show us where you found the body, when Mr.Frank sent you back after it". He walks direct, does not stop between here and the place I showed you on the left, extreme rear, where he said the body was laying when he found it, with the feet towards the right side of this building. He said Mr.Frank told him to come back here and bring this body up, and it was alive. He said he turned around, and came back, and told Mr.Frank...

Q. Where did he come to?

A. The glass doors, and Mr.Frank was waiting here at the head of the steps.He said "Mr.Frank, the girl is dead"; he had not touched her, had not done anything except he went back there and returned, and come back to Mr.Frank with the statement that the girl was dead. He tells him to get the girl, and bring her on up to the elevator, He said he went, and picked the girl up, and came around a curve, and just when he got here---and just when he got here they said "right along here you dropped the body, didnt you"? "That's true, yes sir". "How did you drop it"? "It slipped out of my hands". "Which hit first"? "Her feet". Then they said "Now where along here did you drop this body". Now here was the spot, say, that the wood was chipped up. He goes to the left of that, and turns and goes back towards where the hand-polishing door is. When they saw him going in the opposite direction, I cant say positively whether it was Black or Lanford, but one of them said "Wasnt it over here that you dropped the body"? He turns back around, and came over to that spot, and said "Yes sir, there's where I dropped her".

Q. Tell every word he said as near as you can.

A. He then said he comes back again to Mr.Frank at the steps, and he says "I cant carry that girl; she's too heavy". "Well, I'll help you", says Mr.Frank, "you damned fool, you cant do anything right anyway, you damned fool", or something to that effect, and he goes back around the curve to get the crocus sacks.

Q. How came him to get the crocus sacks?

A. He said to put around the girl's neck, or up under her head to

carry her by.

Q. Did he say that Mr.Frank suggested that he do that, or did he say he did it? What did he say about that?

A. He said he "just done it". Then he says he carried her by the head and Mr Frank by the feet, and they came on up to the elevator, and there Mr.Frank tells him to wait a minute, to keep the body out there while Mr.Frank comes and gets the keys, and unlocks the elevator. Then they put her on the elevator, and go down. When they get to the bottom, he puts the girl over his shoulder, and Mr.Frank goes up the ladder to about three steps from the top to watch people coming in and going out, and tells him to carry it on to the dust bin. As they were going to get into the elevator, one of her slippers dropped off, and he took the slipper and stuck it in his pocket.

Q. That happened up here before they got on the elevator?

A. Yes sir. He carried the girl on back, and Mr.Frank stood on the ladder, and hollered, directing him what to do. He laid her down at the dust bin, and coming on back he hollered "What must I do with her slipper"? and he says "throw it over on the trash-pile.

Q. What did he say he did with the sacks?

A. The sacks he said he left on the elevator.

Q. What did he say about her hat?

A. I dont remember. I kind-of think that there was something else he threw on the trash-pile with her slipper, but that's not very clear to me, but I remember he said "I left her umbrella up there by the elevator shaft, but I dont know where it went to.

Q. Did he say she had on her hat, when he took up her body? Didnt he say she had her hat on?

A. I dont think so.

Q. Mr.Schiff, is there anything else you know about this thing?

A. No, he showed them how they got back on the ladder and came back.

Q. Didnt come up on the elevator?

A. I mean on the elevator. Then he said Mr.Frank was very nervous. He said that he said "Gee, I am tired". Then he said "I had

all the dirty work to do; you've got nothing to be tired about. Then he came to the elevator, and tried to step off before Jim stopped the elevator, and stumbled and fell before Jim stopped the elevator.

Q. What was the condition of the floor out there—dirty?

A. Yes sir.

Q. Did he say they came in the office?

A. He said yes, they come in here, and, when "I came in, there was a tablet lying here". He said "there was a tablet lying here like this". Then Lanford undid his handcuffs, and he said this was the table that he done the writing on, that Mr.Frank was sitting where you are, and Conley was where this gentleman is. They said to him "Now, Conley, you write a note exactly as Mr.Frank dictated it to you". It took him about four minutes, and he wrote a letter just like that other.

Q. Did he write one or two?

A. One. They said "Mr.Schiff, you hand Conley a pad like that that Mr.Frank gave him to write that other note on". I said "let Conley take it from the place that Mr.Frank gave it to him from. It was not in that place there; it was just laying down there on the desk, he said.

Q. Did he write with one copy?

A. No. Then they left the note laying there, and somebody spoke about the closet, and all of us went towards the closet.

Q. What became of the note?

A. I got it. I got the note they wrote here.

Q. They didnt try but one hand at it, and you kept that?

A. Yes sir. Then he said about that time Mr.Frank said "My God, there comes Emma Clark and Corinthia Hall", and he rushed him over, and he got in the closet.

Q. Did they get him in the closet?

A. He stumbled and made several noises in getting in there. (Witness demonstrated the way he got in and the noise he made). It was about like that.

Q. Could they close the door entirely?

A. No.

Q. Why? Was he too fat?

A. Well, you cant close the door entirely on me. You can see how

difficult it was getting in there, and you can see how much noise can be made getting in. Then he said when he came out he said to Mr.Frank "you certainly have kept me in here a long time". "Yes", he said, "I see I have; you are perspiring". Then they spoke about the money. He said Mr.Frank handed him $300.00, and then takes the $200 back. Then he said "Is that the way you are going to do things"? "Well, if we all live", says Mr.Frank, "and this thing comes out all right, I will fix it up with you Monday".

Q. What did he say about Brooklyn?

A. He said Mr.Frank the while time he was writing these letters—but before he said he picked up a cigarette box, and Jim opened it, and found $2.00 in small change; he said "there's money in here", and he said Mr.Frank said "all right, you can keep it"—and every once in a while he would say "Why should I hang? Why should I hang, when I've got rich folks in Brooklyn"?

Q. When he came over here, did he say he had been in the closet before he wrote the notes or afterwards?

A. Afterwards; that's the way he went over it. The reason I recall that is that I took the note and watched him while he got in the closet.

Q. Did he say anything about his wife, and a watch or anything of that sort?

A. He said he said something about not buying any more watches, and "that fat wife of mine wants an automobile".

Q. Did Harllee Branch hear all that?

A. Yes sir.

Q. All that crowd came in here?

A. Yes sir, every one. Right here he said Mr.Frank put his arm around him, and he walked out into the outer office, and he started to put his arm around me, but I told him to put it around Scott, and he and Scott walked out together.

Q. What time did he say he left here?

A. I cant tell that positively.

Q. About 1:00 o'clock?

A. About 1:00 o'clock.

Q. Which did he say left first, he or Frank?

A. He left first.

Q. He left Frank in the building?

A. Yes sir.

Q. Where did he say he stayed down there? Did he tell them about where he stayed that morning--did he go through with it?

A. They asked him no questions, that they could catch him on. There were plenty of things, that I could have asked, but of course they wouldnt let me go into it. The only question I was allowed to ask; I had been told that he stayed over behind those boxes, and watched everybody coming in and going out, and, ~~xxxxxx~~ I asked, when we all go to the first floor, will you get Conley to tell me where he stayed all that time, and he said he sat on that box under the light, which is an impossibility, and all of those men heard him say that, and Chief Beavers knows I asked him. That's right where anybody can see him. He just as well be in the aisle here or on the steps.

Q. Did he say anything about how he got in connection with Mr. Frank that morning? Did he give them any of that?

A. No.

Q. How did it happen that he came here, or did he say anything about that?

A. He made no explanation of what Mr.Frank had him here for. He said that Mr.Frank whistled and brought him up the steps, and sent him back after the body, and Mr.Frank stood at those steps, where he had whistled for him until he (Conley) came back.

Q. Mr.Schiff is this outer office here open all the time?

A. Yes sir.

Q. So there is nothing to prevent that negro coming in there and getting one of those order books himself?

A. No sir, nothing in the world. He could have come right in there and gotten them.

Q. He didnt necessarily have to get them down there?

A. No sir.

Q. To what extent can you hear the running off that elevator over the building?

A. Its a very strong rumble.

Q. When it stops and starts, to what extent can you hear it?

A. Very plainly, because all our wheels and gears are in the top.

Q. What about hearing it on the top floor?

A. Ought to hear it very plain. You can hear the whole thing pick up, and especially, when it hits the basement floor, there's a thud.

Q. When the motor runs, can you hear the motor run?

A. Yes sir.

Q. What other machinery is connected with the elevator?

A. The buzz-saw.

Q. Do you know whether that was locked that day or not?

A. They tell me on Sunday morning it was found open--on Saturday I dont know. I can say for a fact that it is not locked regularly. For the last two weeks I have found it open seven or eight times.

Q. About that clock business out there--was that clock locked?

A. No sir.

Q. What had become of the key?

A. Since I left here the first of the year I never have seen the key, till Gantt dug it up, and I found out they had not been locking it at all since the first of January.

Q. Could Newt Lee have punched these clocks at any hour he wished by turning up the hands?

A. Yes sir. He most assuredly could.

Q. Then within five or ten minutes he could have made punches to show himself as being there every half hour during the night?

A. Yes sir.

Q. How would he do that?

A. By opening up the clock, exposing the face of the clock, and moving the hands right along.

Q. Just like moving the hands of a regular clock around?

A. Yes sir.

Q. Now then that clock would show the true time it was registered only in the event it was locked up, and he couldnt get into it?

A. Yes sir, like it does now.

Q. For it is locked up? If locked up, the clock is reliable? If not locked, it is utterly unreliable?

A. Yes sir.

Q. You work for the factory here?

A. Yes sir.

Q. How long have you been working here?

A. I suppose its over three years. I give it three years for sure. Longer than that maybe.

Q. Were you paid off on Friday before the little girl was murdered?

A. Yes sir.

Q. You came back to the factory that morning?

A. The next morning, the 26th.

Q. Now did you come from home to the factory?

A. Yes sir.

Q. Was anybody with you?

A. No one was with me.

Q. Mrs.Barrett, what time did you get here that morning?

A. About a quarter to 12:00.

Q. What makes you think it was a quarter to 12:00?

A. By the register clock. I was standing there, and I saw Mr.Holloway and Harry and Arthur White was sawing some planks. I walked up, and I said "Harry, can I go upstairs"? I didnt see Mr.Holloway just at the time—I always ask Mr.Holloway, but I didnt see Mr.Holloway just then, and so I says "Harry, can I go upstairs"? and Mr.Holloway stepped out, and says "why, wait a few minutes tillwe saw these planks, if you are not in a hurry". So I stayed there until they sawed the planks.

Q. And you looked at the clock, and it was 11:45?

A. Yes sir, that's the reason I noticed it. Mr.Holloway, and Denham and Arthur White were sitting there sawing.

Q. They sawed one or two planks?

A. Yes sir.

Q. Now then did you go upstairs?

A. Yes sir.

Q. Whom did you go upstairs with?

A. Arthur and Harry.

Q. Did you go to the fourth floor?

A. Yes sir.

Q. How long did you stay up there?

A. I dont remember. The 12:00 o'clock whistle I heard blow, and I was up there after that.

Q. How long?

A. I suppose maybe 30 minutes, somewhere in that neighborhood.

Q. After you heard the whistle blow?

A. Yes sir.

Q. Then what did you do?

A. I stayed up there until Harry got my sacks, and wrapped them upx, and we stayed there and talked some while.

Q. Then about 30 minutes after 12:00 did you come down?

A. Yes sir.

Q. Who came down with you?

A. Nobody.

Q. Didnt you come down on this first floor, and did you see anybody?

A. I saw Emma Clark and Corinthia Hall.

Q. Where were they?

A. Standing there at the steps right there at the clock.

Q. Were they coming in here?

A. Miss Emma come in here.

Q. Came in this directon and came in here?

A. Yes sir.

Q. When she came in, where did you go?

A. I stood there and talked to my daughter a few minutes.

Q. Had she come to the factory too?

A. Yes sir. I stayed a little longer, being detained here, than she thought I ought to stay. I was to meet her at Allison's store here on the corner; that's where I trade. I didnt get back quick enough for her.

Q. She didnt go up in the factory--just came to the stairway?

A. Yes sir.

Q. Then did you and she go down together?

A. Yes sir.

Q. You left Corinthia Hall and Miss Emma here?

A. Yes sir. They were out at the stairway when I left.

Q. Do you know whether they had been in here or not?

A. I cant positively saybecause I didnt watch them.

Q. They were standing there when you left?

A. Yes sir.

Q. Did they tell you what they were here for?

A. No sir.

Q. Miss Clark had just got married the evening before?

A. Yes sir.

Q. Did you see the little girl, that was killed?

A. No sir.

Q. Did you see Mr. Frank?

A. He come out of the office, and he went into the shipping room, and he says to Arthur White "White, how long are you going to be here"?

Q. Was that upstairs or down here?

A. Right there at the register clock. Arthur White's wife was up here. He said "White, how long are you going to be here"? He said "Till two or three o'clock I suppose". "Well", he says, "I will inform you that, if you are going to be here that late, you will have to be locked up in here".

Q. Did you ask White about any money he owed you on that date?

A. Yes sir. We got up to where they piled the cups, just as quick as we got up with the planks--Harry was in front, I was in the middle, and White was behind--as quick as we got to the top, where they piled the little paint cups, me and Harry was standing there, and White was fooling with the cups, and Miss Emma or Miss Corinthia one of them said "White, your wife is down stairs wants you", and he dropped everything, and broke and run downstairs--and I never had spoken to him about the money then. When he come back, I says "Arthur, what about my money"? He says "I have not got it", and I says "well, that's no business; I cant afford to wait four or five weeks for a little sum of five or six dollars". He says "I'll tell you what I'll do; I'll give you a dollar, and I'll pay you interest on it, and you hold off till next week". The next week I was off sick, the week after the murder. I came down here on Thursday, and Mr. Holloway was down at the door, and I says "Mr. Holloway, can I see Arthur"? He says "Just wait; its nearly 12:00, a few minutes, and I'll call him down". So I told Wade to tell him, "if I dont see him, tell him to give him my money".

Q. Was your daughter Mrs. White?

A. No, Mrs.Bailey.

Q. About what time would you say it was when you left the factory, about five minutes after 12:00?

A. I couldnt tell you; I wouldnt say; I might tell a story.

Q. It was soon after 12:00?

A. Yes sir. I stayed up stairs a good while--Harry knows that, and Arthur does too.

Q. You went up at a quarter to 12:00, and you stayed about 20 minutes?

A. Yes sir. The whistle had done blowed before I ever come down.

Q. Did you go to Mr.Dorsey's office?

A. Yes sir.

Q. Tell us everything you remember about that.

A. When I went, he had my daughter there in a room, and I dont know what the man's name is (I know his face), anyhow he come upstairs, and I was back at the water place, and Miss Rebecca Carson come back there, and said "May, the detectives want you"--no, not the detectives; she never did say that--but she said a man wanted me, and I said "well, I am not running; he can get me"; so I come on out to the main aisle, and got to him, and he says "I've got a subpoena for you". I says "All right". He said "Get ready as soon as you can". So I taken my time, and cleared the paint off'n my hands, and washed my face, and he waited till I got ready, and we went on out, out across the street there, and went up Broad Street to Mitchell Street, and down Mitchell Street to the Courthouse.

Q. That was before they had it up before the Grand Jury?

A. I dont know. They carried me to Mr.Dorsey's office, and my daughter was already there, secreted in a room, and I didnt know she was there. They made me sit down in a room like this, and she was in a room over there. For a few minutes I sat there, and directly he opened the door, and said "Come in, Mrs.Barrett", and my daughter was sitting at the end of the table; they set me down here between three men, one at the end of the table typewriting, and Mr.Dorsey was there, and this man, that come and got me, was sitting in there, and I was sitting along in here somewhere. They wouldnt let me speak

of Mr.Frank at all.

Q. What did they say?

A. "Shut up; I dont want to know what you are speaking about".

Q. What did he ask you to tell him about?

A. He said "Didnt you make a threat that for a good sum of money you could be bought"? Well, I got mad then, and I said "No indeed, I didnt, and you bring me the man, that said it". "You are sure you didnt say it"? I said "I didnt say it". They saw I was getting angry, and this fellow, that got me, said "come outside", and carried me outside, and told her (that's my daughter) to go out with me; and she said "dont you worry about the job; if you want another job, you are not obliged to work there". I says "Job nothing; I aint studying about the job; there's plenty of jobs in the City of Atlanta".

Q. You told your daughter that?

A. Yes. She said "you can get another job at the same salary you are getting, and have an easier job". "Oh", I says, "I dont mind that at all". And I got mad then, after I seen what they were trying to do to me, and I went back in the room, and Mr.Dorsey, and this man, that come and got me, kept jawing, you know, and jumped on me again about the money. I said "I didnt say it". So I had done got plumb mad over it, and, when I got out into the main entrance of the room, where they set me down first, I seen her in there, and I walked right up to her, and shook my finger in her face, and I said "if these people publish any lies on me in that newspaper, there's going to be trouble".

Q. Are you friendly with your daughter now?

A. Yes sir. My daughter has been sick for the last three years. She dont know anything about it. She dont know anything about it except the words she heard Mr.Frank say. She heard him say that "if they was to be here any later than 1:00 o'clock, they would be locked up".

Q. Inside the factory?

A. Yes sir.

Q. You were not here when that happened?

A. Yes sir, I was in the building.

Q. Who was present when Mr.Frank said that?

A. Arthur White, and his wife was standing there, and my daughter, and Mr.Holloway.

Q. And yourself?

A No, I was on the top floor. Arthur White was down there talking to his wife.

Q. You didnt hear that?

A. No sir.

Q. That's all that she would know about it?

A. Yes sir.

Q. Did she leave the building with you---your daughter?

A. Yes sir.

Q. Where did you go, when you left the factory?

A. To Mr.Allison's store.

Q. You went up Forsyth Street?

A. Yes sir.

Q. After you left the building?

A. Yes sir.

Q. What time does your daughter claim to have been here?

A. She said it was 12 minutes after 12:00, when we went out. I never looked at the clock.

Q. When did she say Mr.Frank hollered up to those boys?

A. He didnt holler up. He told Arthur White there at the clock.

Q. When did she say it happened?

A. I dont know. It was during the time I was up there. I went up there at a quarter to 12:00.

Q. Mr.Frank didnt go upstairs, and you left White and Denham up there?

A. I left White standing out there.

Q. He came down with you?

A. He came down while I was upstairs.

Q. Where was Mrs.White?

A. Standing at the register clock.

Q. Did you leave Denham upstairs?

A. I left him up on the top floor.

Q. White came down to see his wife?

A. Yes sir.

Q. How did Mr.Frank behave himself with these girls?

A. I never seen him touch a girl in my life.

He was a gentleman.

Q. You never saw him look or act disorderly towards any of them?

A. No sir. I never seen but one thing about Mr.Frank in his life. He was always cutting a pencil, and he was in there cutting a pencil one day, and his pants flew open, and Mr.Stelmer told him about it, and he got behind a truck and fastened his pants and lit right on downstairs.

Q. He didnt do it on purpose?

A. No sir.

Q. Mrs.Barrett, did you come back to the factory Monday morning?

A. Yes sir.

Q. You didnt see Mr.Frank Monday morning?

A. No sir.

Q. You didnt run but a little while, only until about 9:00 o'clock?

A. No sir.

Q. Did you see Conley any time?

A. No sir.

Q. Did you see him when you came to the factory, going up or coming down?

A. I didnt see him; in fact, I never noticed. There is always a negro, sitting around there nodding, you know.

Q. Did you see him on Saturday?

A. No sir, I seen him on Monday.

Q. Where did you see him Monday?

A. I seen him in the factory.

Q. Did you notice anything peculiar about him?

A. He never did love to work.

Q. Did he look excited or scared that morning?

A. He always looked funny to me somehow or other; he's got no countenance about him.

Q. You didnt see him do anything, or say anything, that attracted your attention?

A. No sir, I didnt have nothing to do with him.

Q. You didnt like him no way?

A. No sir.

AMERICAN JEWISH ARCHIVES

EXAMINATION OF MISS MARY PINK. (116 E.Fair St.).

Q. Miss Pink, did you get your pay on Friday?

A. Yes sir.

Q. You didnt come back to the factory Saturday?

A. No sir; I never come back on Saturday.

Q. You know Mr.Frank well?

A. Yes sir, been knowing him five years.

Q. What was his conduct here among the girls?

A. He always acted the perfect gentleman, whenever I saw him.

Q. You never saw him do anything wrong with any of these girls?

A. No sir, I never did.

Q. Did you come to the factory Monday morning?

A. Yes sir, I did.

Q. Mr.Frank didnt come Monday morning?

A. I didnt see him.

Q. Did you see that negro Conley?

A. Yes.

Q. Tell me what you saw about him.

A. He came to my department to sweep.

Q. What time?

A. 7:30, about, Monday morning. He came in there to sweep, and I looked at him, and I says "Jim, what do you want"? He says "I wants tox sweep". I said "Well, Jim, I think you committed that crime", just like that. He said "No, Ma'am", and he shot out of my place, and I never did see him any more.

Q. He ran right out?

A. Yes sir.

Q. And you never saw him any more?

A. No sir.

Q. He never did come?

A. I suppose he come back, but he never did come back then that I saw.

Q. What floor do you work on?

A. This floor.

Q. Did he ever borrow any money from you?

A. Yes sir, he borrowed from me all the time.

Q. Was he always hard up?

A. He borrowed money from me every week. Sometimes he wouldnt

pay me, and I would come in the office and get it from Mr.Gantt.

Q. He tried to borrow money from all the employees here, didnt he?

A. I dont know. He borrowed from several girls in my department.

Q. Do you know Mr.Frank's general character?

A. I think I do; I know it.

Q. That's what people say about him, you know. Was that character good or bad?

A. It was good---to me.

Q. And people spoke well of him?

A. Yes sir, and it has been five years I've known him, this coming January.

Q. What kind of work do you do, Miss Pirk?

A. Fore-lady of the hand-polishing department.

Q. How long have you been fore-lady?

A. A little over a year.

Q. How many girls have you got under you?

A. Twelve.

Q. Did that little child, Mary Phagan, work under you?

A. No sir.

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EXAMINATION OF MISS REBECCA CARSON.

Q. You work here at the Pencil Company, Miss Carson?

A. Yes sir.

Q. What floor are you on?

A. On the 4th floor.

. That's the same floor that White and Denham were on that day?

A. Yes sir.

Q. Miss Carson, have you ever been on the fourth floor, when the factory was not in operation?

A. Yes, a good many times.

Q. Can you be there on that floor, and hear the elevator when it runs, and when the machinery is not running?

A. Yes sir, I have heard it when the machinery was not running, and I could hear the elevator running and notice it. You can tell by this vibration of this motor downstairs, and then the wheels upstairs. You can hear those big wheels moving up in the stamp

ing room.

Q. Now, Miss Carson, you got your pay on Friday?

A. Yes sir.

Q. When the elevator starts and stops, dont it make a rumbling fuss or noise?

A. Yes sir, the cables move.

Q. Now, Miss Carson, you got your pay on Friday?

A. Yes sir.

Q You didnt come here Saturday at all?

A. No sir.

Q. You were not in the factory that day?

A. No sir.

Q. Did you see Mr.Frank on Saturday at all?

A. I saw him Saturday.

Q. Where?

A. In front of Rich's; it was between 2:30 and 10 minutes to 3:00. We sauntered on down to Brown & Allen's, and, when I got to Brown & Allen's, I looked over towards Jacobs' Pharmacy, and saw him go into Jacobs' Pharmacy.

Q. You dont know what he went in there for?

A. No sir.

Q. You didnt see him come out?

A. No sir, I didnt look any more.

Q. He spoke to you, when he passed you?

A. Yes sir; he raised his hat to me.

Q. Who was with you?

A. My sister.

Q. Did you come back Monday?

A. Yes sir, I came back Monday morning.

Q. You didnt see Mr.Frank Monday morning?

A. No sir, I didnt see him.

Q. Did you see that darkey, Conley, Monday morning?

A. I disremember whether I saw him Monday morning or not.

Q. Did you see him any time before they put him in jail?

A. Yes sir.

Q. Did anything attract your attention?

A. It did After I talked to him about the murder I noticed him, and my mother did too. He worked around her place there,

and while he was there she began speaking, and said "Well, Jim, they havent got you yet". "No'm'm, I've not got nothin' to be arrested for". "No, but they've got Mr.Frank, and he hasnt done anything either". "No'm'm, Mr.Frank is as innocent of that as you is, Mrs.Carson, and you sure is". Mama said "it always appears to me, when I think o that child being murdered, that that negro, that Mrs.Arthur White saw at the door, was the guilty one". He laid down his broom, and he came back in about ten minutes, and got his sprinkler. I said "Mama, he didnt like that opinion of yours, because he left; he was afraid he would hear some more".

Q. Did he come back any more?

A. He came up after the sprinkler; he didnt finish sweeping.

Q. He came and got his sprinkler?

A. Yes sir.

Q. Is your mother here?

A. Yes sir.

Q. What's her name?

A. Mrs.E.H.Carson.

Q. She works on your same floor?

A. She works for me.

Q. How many have you got under you?

A. About 13 or 14.

Q. Now, Miss Carson, character is in the sense of the law what people say about a man, the reputation he has got in the community. How long have you known Mr.Frank?

A. Since April 10th 1910.

Q. What has been is conduct with the girls up there?

A. I would not ask anybody to be a more thorough gentleman.

Q. Do you know his general character, the reputation he bears in the community--of course before this thing happened?

A. You mean with the factory employees.

Q. With everybody he came in contact with, including them.

A. I never knew Mr.Frank only in business, not very much of him. I knew of his wife before he married her.

Q. Did he have a good or bad character?

A. My opinion of him was that he always had a very straight and honorable character.

Q. Have you ever heard people talk about him?

A. No, I have never heard his name in public in any way, only just here in the factory.

Q. You have heard the girls talking about him here in the factory?

A. Yes sir.

Q. From having heard them talk about it, I will ask you what sort of a character he bore.

A. I cant answer that. I dont know anything about his character only among us girls up here.

Q. Among the girls, was his character good or bad as you heard it here?

A. Its good; I cant say anything else, and tell the truth.

Q. You do know the character he bore here in the factory?

A. Yes sir. I have had as close dealings as any girl in the factory with Mr.Frank, and I have never noticed anything the least bit out of the way with him.

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EXAMINATION OF MRS.E.H.CARSON.

Q. You are the mother of the young lady, who was just here a moment ago?

A. Yes sir.

Q. Mrs.Carson, how long have you worked at the factory here?

A. Three years the 11th of last April.

Q. You work in the same department with your daughter?

A. Yes sir.

Q. You were paid on Friday before this murder was committed?

A. I left here Friday about a quarter to 1:00. I was sick, and I went home for the afternoon.

Q. You didnt come back at all?

A. No sir.

Q. You were here Monday morning a little while?

A. Yes sir.

Q. You came and you were here the little while that the factory was running that morning?

A. Yes sir.

Q. Did you see Conley that morning, or was it some other morning you saw him?

A. I dont remember seeing Jim Monday morning at all. Tuesday morning and Wednesday morning.....

Q. You had some conversation with him. Tell us what that was.

A. Each morning he would come in and sweep around my table, and Tuesday morning I said "Well, Jim, they havent got you yet"? "No'm'm". That was about all I said to him Tuesday and Wednesday, but Thursday I said "Jim, they havent got you yet"? "No'm'm, I aint done nothing". "No", I said, "and poor Mr. Frank has not done anything either, but they have got him down in the tower". Jim said "No'm'm, Mr.Frank didnt do that; Mr.Frank is just as innocent as you is, and I know you is". "Of course he is", I said, and "whenever they find the real true murderer of little Mary Phagan, it will be that man, that was standing or sitting there at the elevator, while Mrs.Arthur White went upstairs; he is the very one, that killed Mary Phagan". I never thought anything about Jim committing the murder; I never thought about it being him at the elevator; I never gave it a thought; and, when I said that, he laid down his broom, and went out of there, didnt finish the sweeping, and then he came back directly and took out the sprinkler. My daughter made the remark "he's in a hurry", when he laid down his broom. I never gave it a thought about Jim being the murderer.

Q. As a matter of fact, he stopped his sweeping, and dropped his broom too?

A. Yes, laid down his broom, and went on back.

Q. You had to get somebody else to finish the sweeping?

A. I never paid no more attention. My daughter is forelady up there, and I didnt pay any attention to that.

Q. Now, Mrs.Carson, in the law character is what people say about a man, the reputation he bears. Character and reputation are the same in law. You have known Mr.Frank how long?

A. Three years.

Q. Do you know his general character, what people say about him?

A. Why, yes.

Q. If you know his general character, is it good or bad?

A. Everybody up till this murder has always said he is a mighty nice man.

Q. Up to that time did he bear a good character?

A. Yes sir, everybody spoke of him as all right.

Q. He had a good reputation?

A. Yes sir.

Q. That was all you knew about it?

A. Yes, that's all I knew about it. Mr.Frank was always a mighty nice man.

Q. You never saw him do anything wrong?

A. He was always a perfect gentleman.

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EXAMINATION OF N.V.DARLEY.

Q. Go ahead and tell about that Smith lady.

A. Well, she arrived here that morning she claims---she will so testify---at 9:00 o'clock, on the 9:00 o'clock car. She came to the factory, and told Mr.Frank her time was wrong. She says he told her to wait a few minutes, that Mr.Darley would be in. I told Mr.Frank I would meet him here about 9:00 o'clock. I must have come in about 9:05, and she drew her own envelope.....

Q. Where did you meet her?

A. She was sitting out in a chair opposite the clock. She had drawn her own envelope, her sister-in-law's envelope, and her brother's envelope; she had three. She told me that they had paid her sister too much money. In making up thr payroll Mr.Schiff made a mistake, and used "M.Smith"---her name was "Mamie", and the amount that "Mattie" should draw was put in Mamie's envelope. That made her draw too much money. She gave it to me, and I brought it back to Mr.Frank here, and he said "that will balance my cash; I am out about that much". He took $3.10 out, which left $3.00, and she started off, and got about as far as the steps there, and started back in the office here, and called me again, and she said you promised Mamie a raise from $3.65 to $4.05, which I had done, but I had forgotten to give a memorandum of it to the book-keeper. I says "well, little girl, that will be straightened Monday", I said, "that will be all right". I knew her father was lying very low,

and I asked her how he was--they were expecting him to die every minute--and tears came in her eyes, and I walked on down the steps with her, and went there to the front door, and I was standing with my right shoulder towards Jim Conley, where he was hiding. She was standing four or five feet from me near the glass door. The last words I spoke to her were "dont worry about that; I'll fix it Monday, or next week". I came back upstairs, and it couldnt have been later than 9:15, and I was the first man that the detectives sent for on this case, that I know of, to testify as to Mattie Smith being in here, how ~~MI~~ was dressed, or she was dressed, etc., and Jim was certainly there at that time, or he couldnt have known how we were dressed. She stated that, when she came to the factory, there was a negro sitting out on that box, one of the sweepers, sitting out on that box outside, Jim or Snowball one, she didnt pay much attention to that, and Snowball has proved his whereabouts, that he was not here.

Q. Now, Mr.Darley, if he had been sitting where he said he was, would you have seen him that morning?

A. I could have seen him, but he couldnt have seen me talking to that girl, sitting there under that gas light.

Q. He could have seen you as you came down?

A. He could have seen me come down.

Q. He would have seen you as you came down?

A. Yes sir.

Q. He would have had to catch your dress and everything as you came down?

A. Yes sir. There were some big boxes there. He could have been looking through the cracks to describe what I had on. Another thing, we walk on down the steps, and speaking about her father, she takes out her handkerchief, and rubs her eyes. He tells the dress she had on--I knew she had on a raincoat, but he described to the detective the color of the dress. He could see. The raincoat might have been short. He said he knew the color of the dress she had on. When she came in at 9:00 o'clock, she said that she saw him on the outside.

Q. Did Wade Campbell come in with you that morning?

A. He came in about 15 or maybe 20 minutes behind me.

Q. Where did he go?

A. He only came in, and Mr.Frank picked up that club there, and said "you want some money this morning", and I'm going to shoot you. Mr.Frank told Wade Campbell to come; we might want to use him.

Q. What kind of work does he do here?

A. He is inspector of the factory.

Q. He will remember that all right,about his coming here?

A. Yes sir.

Q. Did they let you ask him any questions?

A. I questioned him about the time, and all he would tell me was I was mistaken. I told him he was a blamed liar, if he was in here at that time of day and saw me. He described May Barrett as being in here between 11:00 and 12:00 o'clock. He was asked "Where was Mr.Darley"? "Oh, Mr.Darley had been gone an hour and a half or two hours". Still that was half past 11:00 o'clock, and May Barrett was here. Still I was here at 10:50 You see the point?

Q. Did you have a talk with that fellow Conley, that aroused your suspicion on Monday?

A. I went around on Monday morning, the first thing I did, and I tried my best to look every man in the eyes to see if I could pick out a murderer--I didnt say anything to anyone about it--and I dont think I missed anybody; if I did, I dont remember. When I got to Jim Conley, he dropped his eyes, and he has never looked at me yet. He was excited and nervous.

Q. Did he ever do that before?

A. No sir, he is always borrowing and begging me to give him an order to the office for money, continually wanted money, and he would write me a note--because I would jump on him about it--to tell Mr.Frank to give him a dollar, and he would give me $1.50 for it, and that morning he couldnt look me in the face.

Q. Is he in the habit of going in the basement?

A. Yes sir, continuously, all the sweepings gathered up in cans, they have to carry down continuously during the day.

Q. Do you know whether he ever went out the back door?

A. He knew all about it. He was well posted about everything around here. I have never caught him drinking in the basement, but I have heard of it, and gave him down in the country about it.

EXAMINATION OF HARRY GOTTHEIMER.

Q You are connected with the National Pencil Company?

A. I am in the capacity of Sales Manager of this plant. For that reason I come over here every Saturday, when I am in Town, and usually go through what has been shipped of my orders. On that Saturday I met Mr.Frank over at Montag's around 10:00 o'clock--I got in late that morning--and I asked him about Nelson Baker and Nile, two particular orders that I was anxious to have shipped. He said "they are coming through all right; you come down, and I'll show you all the orders we have shipped this week". I said "I've got a bunch of orders to write, and possibly I'll get down there about noon". He said "All right ; you try and be sure to come down". I left him that way.

Q. He left there in the neighborhood of 11:00 o'clock?

A. Yes sir. He stayed at Montag's 20 or 30 minutes.

Q. He said he got back here about 11:00 o'clock. Whom did he talk to besides you?

A. He spoke to Miss Hall. She heard him ask me to come over.

Q. She left there, and came over?

A. Yes sir.

Q. You didnt come?

A. I didnt finish my work till 1:00, and I had an engagement to meet my wife at 1:00, and so I didnt come. If I had, I would have been right with him over that finance sheet.

Q. You didnt see the finance sheet at all?

A. No sir.

Q. When did you leave Town?

A Sunday afternoon. I didnt know anything about the murder. I was going off on a trip the next day, and he asked me to come by sure, insisted that I come, but I didnt come back to Town until after the Grand Jury had indicted him.

EXAMINATION OF DORA SMALL (37W.Fair St.).

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Q. How long have you been here in the factory, Miss Small?

A. I cant tell you exactly, something over 5 years, about 5 years and six months.

Q. What Department do you work in?

A. Stamping Department.

Q. Did you know little Mary Phagan?

A. I only knew her when I seen her.

Q. You were not here on Saturday at all?

A. No sir. I got my money Friday night.

Q. Now did you come back Monday morning?

A. Yes sir.

Q. Did you see this negro Conley?

A. He lay around the elevator the whole time, and was busy running out for "Extras" for me. Just let them holler "Extra", and he would come to me "Miss Small, they've got out another extra. Do you want one"? "Yes", I would say, "get me one", and before I would get throughx reading it he would ask "What did they have to say"? I would say "well wait till I get through with it". He had one of them "Buster Brown" coats--Norfolk coats--he had one of them coats there, and he all the time had that strap undone, but after that thing happened, he kept that strap buttoned up all the time tight. He might not have had on an shirt, and he might have had his coat buttoned up to hide himself, but I know that was so, that was the way he had it, and he had always had it undone before.

Q. Did you talk about the case at all?

A. Yes sir, and he says "Mr.Frank is just as innocent as you are". I said "Well, he is certainly innocent then, for I was not no nearer this factory than McClure's that day".

Q. What else did he say?

A. He didnt say nothing.

Q. He says in his affidavit about Mr.Frank stopping him and speaking to him on your floor.

A. Well, I told them detectives up there that that "nigger" had lied.

Q. That was Tuesday morning?

A. Yes sir.

Q. Did you see him all the time?

A. He didnt speak to him at all. I ran up to him to O.K.aticket, and he says "you are going back to work right away"? I says "yes sir, the quicker the better".

Q. You saw him the whole time he was up there?

A. The negro didnt speak to him, nor did Mr.Frank speak to the negro.

Q. You know character means, that means what people say about you, your reputation. Do you know the general character of Mr.Frank before this thing happened?

A. I never knew anything at all against him in my life. If you work under anybody, and see them 25 times a day, and you be around them five years and a little better, if there is a fault about them, you are going to find that fault. I used to make fun of him, when he and Mr.Montag would be talking, maybe one of them would smile, and I would say "look out, girls, we are going to have bad weather; Mr.Frank or Mr.Montag certainly smiled".

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EXAMINATION OF MISS REBECCA CARSON (RECALLED).

Q. Miss Carson, you wanted to say something further?

A. Yes, I wanted to tell that on Monday the rain came up, and Snowball and Jim came upstairs. I said "Jim, where were you on Saturday"? He says "I couldnt swear where I was; I was drunk all day". Snowball said "I can prove where I was"; Jim says "Well, I couldnt, because I was drunk all day".

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Further hearing of this matter was adjourned at this hour--5:15--until 9:00 A.M.the next day, July 1, 1913.

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Pursuant to adjournment noted above, the hearing proceeded at the National Pencil Company's office the next morning, July 1, 1913, at 9:15 o'clock.

EXAMINATION OF ARTHUR WHITE.

Q. How long have you been working at the factory, Mr.White?

A. I have been here something likex 18 months.

Q. What kind of work do you do?

A. Work in the ~~Packing~~ Varnish Department.

Q. Are you the foreman of it?

A. Yes sir.

Q. How many have you got working under you?

A. Six or seven.

Q. Boys or girls?

A. Some boys and some girls.

Q. How many girls?

A. About six.

Q. Then there's not but one boy under you. What floor do you work on?

A. The fourth floor.

Q. Do you hire the hands, that work under you, or does Mr.Darley hire them?

A. Mr.Holloway does most of the hiring.

Q. When you first came here, was Mr.Frank with the factory then?

A. Yes sir.

Q. Did he have much to do with giving orders out in the factory?

A. He never did give me any orders.

Q. He watched the office mainly?

A. Yes sir.

Q. Whom did you get your orders from?

A. Miss Rebecca Carson.

Q. Miss Carson is the forelady of that department?

A. She has charge of giving out the work to the varnish department.

Q. After the work is given out, you had charge of it?

A. Yes sir.

Q. Have you charge of the whole varnish department or just a part of it?

A. I have charge of the varnish machines, and the stuff goes from me to Mr.Stelmer.

Q. So Mr.Frank didnt give any orders to your department direct at all?

A. No sir.

Q. They came through this forelady, Miss Carson?

A. Yes sir.

Q. Now, as I understand you, Mr.Frank didnt give you any orders or your department directly?

A. No sir.

Q. Did he visit your department much?

A. He passed along by it; he didnt have much to do with the details of my work, or giving orders.

Q. Did that mostly through this forelady?

A. Yes sir.

Q. Now, did Mr.Frank always treat you all right?

A. Yes sir.

Q. Did he alwsy treat the girls all right as far as you saw?

A. Yes sir.

Q. So far as you saw or heard or know anything about, did he treat them like a gentleman?

A. Yes sir.

Q. You dont know of your own knowledge any treatment, that he gave them, other than that of a gentleman?

A. No sir.

Q. You never saw him catch hold of any of them?

A. No sir.

Q. So far as you know, all these wild rumors about that, you cant confirm them at all?

A. No sir.

Q. Now, Mr.White, how did you happen to be back in the factory on the day that this killing occurred?

A. Well, we had some work to be done up there on some machinery, and we spoke to Mr.Darley on Friday about it, and he asked us to see Mr.Frank, and we saw him, and he told us to come on about 8:00 o'clock Saturday.

Q. You saw him on Friday?

A. Yes sir.

Q. Saturday was to be a holiday?

A. Yes sir.

Q. But you had some work to be done?

A. On machinery, yes sir.

Q. You were not working on stock, or anything of that kind, but on the machinery to get it in shape for operating?

A. Yes sir, for Monday.

Q. The only time you could work on the machinery was when it was not running?

A. Yes sir.

Q. Now suppose you tell exactly what work you were doing up there.

A. We were.....

Q. Who do you mean by "we"?

A. Harry Denham and myself.

A. We were putting in the carrier for the pencils, a plank flooring, carrier.

Q. How much nailing did it take to do that?

A. We just nailed on some plank.

Q. Did you work on the machinery any, on the metal part of it any?

A. No sir.

Q. You didnt do any hammering on any iron or anything, that would make a great racket?

A. Not more than that we were nailing in putting in this bottom in wood.

Q. Did you clean any cups?

A. No sir, not that day.

Q. Now another question. The people for the State have been trying to pick everybody that they could. Have they ever tried to pick you, or send anybody to you, or ask you any questions about how Mr.Frank treated the girls?

A. Not more than the detectives.

Q. What did they say to you?

A. They asked me for about the same information, about the way he treated the girls. The answer I gave them was jumst about what I did to you.

Q. Was that before the Coroner?

A. No sir, that was before Mr.Dorsey.

Q. What did Mr.Dorsey ask you?

A. On the same general line.

Q. What was it about that work up there, that took so long--that's one thing I want to understand--took you from 8:00 till in the neighborhood of 5:00?

A. The first thing we had to do was to put in some sandpaper drums on a big sandpaper machine in there. I didnt come in till about a quarter to 9:00, and Denham was at work on the sandpaper drums when I came in.

Q. How long did that take?

A. About an hour and a half.

Q. After you finished that, what was the next work you did?

A. Then we went to work on this machine, putting in this carrier.

Q. That's a wooden carrier?

A. Yes.

Q. Is it a big thing?

A. Its just a kind of a box for the carrier to run through, that carries the pencils out.

Q. So that was right particular work, was it, so that it took a good deal of time to do it?

A. Yes sir, we were from about 1:00 o'clock until Mr.Frank notified us that we could get out.

Q. You really had not finished it, when you left, or had you finished it?

A. Yes sir, we finished it.

Q. Mr.White, did Mr.Holloway do any sawing for you that morning?

A. Yes, sir, we brought a plank down to Mr.Holloway, and myself and Harry started up the machinery to saw it.

Q. What time would you say you brought the plank down?

A. Some time before 11:00 o'clock.

Q. Do you remember what time it was Friday that you asked Mr. Frank to come back Saturday?

A. I think it was when we came up about quitting time.

Q. When you came in Saturday, you came to the front door of course?

A. Yes sir.

Q. Whom did you see here?

A. I didnt see anybody but Mr.Holloway and Mr.Frank.

Q. Where was Mr.Holloway?

A. Right there where the clocks are.

Q. Where was Mr.Frank?

A. He was--I declare I dont know--somewhere around the office, but just where I dont remember.

Q. Did you have any talk with him that morning?

A. Not a bit.

Q. You just saw him in passing up?

A. Yes sir.

Q. Did you see anybody else?

A. I saw Miss Hall, I believe, sometime later during the morning--

I think it was when we had Mr.Holloway to rip the plank.

Q. It was probable, when you came down to get Mr.Holloway to rip the plank, that you saw her?

A. Yes sir, I remember seeing her.

Q. Do you remember seeing anybody else? Do you remember seeing Mr.Darley or Wade Campbell?

A. No sir.

Q. Do you remember seeing Miss Smith, orMiss Clark?

A. Yes sir, I saw her. Before 12:00 o'clock she was upstairs.

Q. Who came up with her upstairs?

A. Corinthia Hall.

Q. Some time before 12:00?

A. Yes sir.

Q. Could you hazard a guess as to how long it was before 12:00?

A. It was something near 11:30.

Q. That's your best judgment?

A. Yes sir.

Q. What did they do up there?

A. I didnt see them do anything. They said they wanted a coat I believe.

Q. Did you see Mrs.Barrett?

A. Yes sir.

Q. At how many places did you see her?

A. Only on the fourth floor, and I was standing the steps here talking to my wife--she sent for me--and while I was here talking to her May.Barrett went out.

Q. Who was with her when she went out?

A. Her daughter. Her mother was standing on the steps, and they went on out together.

Q. Did Mr.Frank come out and ask you how long you would be upstairs there, while May Barrett or her daughter was there?

A. I dont think so.

Q. He might have done it, and you might not have remembered it?

A. I know he mentioned to us about how long it would take us.

Q. Do you remember whether he said it while May Barrett was there?

A. I dont think so. I am pretty sure he did not. He didnt speak to me while she was out there at all.

Q. About what time you think it was that you saw May Barrett

and her daughter?

A. About 35 minutes to 12:00. Miss Hall and Miss Clark told me my wife was down here, and I came down and left them up there together; and they came down, and they all went out together.

Q. Your wife and Miss Clark and May Barrett and her daughter?

A. They all went out pretty close together.

Q. You dont know whether they all left exactly together?

A. Not exactly, no sir, but just about together.

Q. What time do you think you went back upstairs?

A. Ten minutes to 12:00 I guess.

Q. When do you think it was that Mr.Frank came there and told you that he was going to lunch?

A. It was somewhere near a quarter to 1:00 I guess.

Q. Where did Mr.Frank go? Where did he stand?

A. He was standing over in the aisle, about 10 or 12 feet from us.

Q. He came up to your floor?

A. Yes sir.

Q. And he looked over the work that you were doing?

A. We just told him what we were doing.

Q. What did he first say?

A. He said "I am going to lunch, and, if your wife wants to get out, tell her to come on; I am going to look up". I told her to go ahead.

Q. She was up there then?

A. She was talking to Denham and I. She had come back; she went over on Whitehall Street, and bought a dress, and had come back.

Q. She had gone out of the building, and had come back into the building?

A. Yes sir.

Q. How long had she been back when Mr.Frank came up?

A. About ten or fifteen minutes.

Q. She must have passed Mr.Frank's office here something like half past 12:00 or 35 minutes to 1:00?

A. Something like that.

Q. Have you heard her say about what time it was she passed?

A. No sir.

Q. When he went up there, she had been in the building something like ten minutes?

A. Yes sir.

AMERICAN JEWISH ARCHIVES

Q. How long did Mr.Frank remain up there with you?

A. Just a few minutes. He turned around and came ~~xxx~~ down and she came right down behind him. I didnt come down with her at all. I just told her to come on out.

Q. Had you nailed that running board at that time, or did you do the nailing up after Mr.Frank left?

A. We did the nailing after he left.

Q. You had not done it up to that time at all?

A. No sir. We had the plank ripped and ready to nail it up.

Q. You had told Mr.Frank that?

A. Yes sir, what we had done, and what we had to do.

Q. Mr.Frank didnt stay there over five minutes?

A. No sir, I dont think hardly that long.

Q. He went down and your wife went down behind him?

A. Yes sir. She said he was sitting in the office when she came down and went out. He looked like he was writing at the table or desk.

Q. Was he nervous when he came up there?

A. I didnt notice him. I didnt think about his being so.

Q. He was not excited so you would notice it?

A. No sir.

Q. Has he not always been a kind of a nervous man?

A. I never paid much attention to it, but everybody tells me he is nervous.

Q. He is an excitable man?

A. Yes sir, he has always been as far as I have noticed him.

Q. You never noticed his manner as being differentat that time?

A. No sir.

Q. If any different, it didnt attract your attention?

A. No sir.

Q. You didnt see Mary Phagan that day?

A. No sir.

Q. You didnt hear any noises or screams?

A. No sir.

Q. What doors did you understand Mr.Frank was going to look?

A. The bottom door I supposed.

Q. Was he going to look this one on the landing here?

A. The way he said it was "I dont want to put up all my books

and things here in the office. If you all are not going to be through in time to get out before I come back, I am going to lock up the shop, and, when I get back, I will notify you then".

Q. On that landing between the third and fourth floor you can stand there and see onto the second floor? Cant you see this space here in fruntof the clocks from the stairway up there?

A. Yes sir, you can see the clocks all right.

Q. You can see the passage there to the elevator very plainly, cant you?

A. Yes sir.

Q. Did you hear the elevator starting and stopping on that day?

A. No sir.

Q. When that motor is in operation, and the elevator starts or stops, it makes a rough noise, dont it?

A. I never paid any attention to it whenever everything is quiet. That day they were trying it, some said they heard it--but you can feel a kind of a quiver and shake of the building. You can feel a rumble.

Q. Especially when other machinery is not running?

A. Yes sir, and there was no machinery running that day.

Q. And you think, if the elevator had run while you were up there, you would have felt that quiver or noticed it?

A. We might, if we had been expecting it.

Q. Is that not the reason why you would have noticed it?

A. If we had not been noticing, we might not have noticed it.

Q. You didnt do any nailing until after 1:00 o'clock?

A. We done the nailing as soon as Mr.Frank and my wife left, about five minutes to 1:00. We went to work right then.

Q. What time did Mr.Frank get back?

A. It was a little before three o'clock, we noticed that. He came up to the fourth floor, and hollered "All right, boys, if you are through, the door is unlocked". "All right", we said, "we will be down in a minute or two". We washed and dressed, and came on down, and came in the office; I think he was at his desk--no, he was in that office--and we came in here and sat down, and I said "Mr.Frank, I want to get a couple of dollars". He said "What's the matter? I just paid off last night.

Are you broke already"? I said "Yes, I gave my wife what money I had with me. I've been working all day, and I would like to get a couple of dollars", and he gave me two dollars, and we walked out and left him sitting there at his desk. So he called us, and told us, when we started out, that "the bottom door down there has got a night latch on it, and all you have to do is to turn the little knob, and open it, and go out", and so we did so, and left him here.

Q. Did you see any negroes around the building that day?

A. No sir.

Q. Coming up the steps or going down or anything?

A. No sir.

Q. Where was it your wife saw this negro?

A. She told me she met him at the first floor where that scuttle hole was. It was just an accident that she did see him. She said it was dark down there, and the gas was not lit.

Q. Do you recall anything, else, that might throw any light on this one way or the other?

A. That's really all I know about it.

Q. Is your wife here this morning?

A. She is not feeling well, and I told Mr.Darley, if you all wanted to see her, you could drop out to the house and see her.

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EXAMINATION OF HARRY DENHAM.

Q. Mr.Denham, how long have you worked here for this factory?

A. About four years.

Q. You knew Mr.Frank during all that time?

A. Yes sir.

Q. What do you do Mr.Denham?

A. I am Assistant Foreman on the top, the fourth, floor.

Q. Now you were paid off on Friday?

A. Yes sir.

Q. How came you to come back Saturday? Who asked you to come back?

A. Mr.Darley and Joe Stelner asked me to come back on Saturday to put on some sandpaper, and to help Arthur White fix a machine frame.

Q. Why did you come on Saturday to do that work?

A. We couldnt do it no other time, only when the machinery was stopped.

Q. You had to have the machinery stopped?

A. Yes sir.

Q. Then it was because the machinery was stopped that day?

A. Yes sir.

Q. What time did you get in?

A. About 7:30.

Q. Who was here when you got here?

A. Mr.Holloway. I dnntknow who was in the office.

Q. You went on upstairs and went to work after you saw him?

A. Yes sir.

Q. What kind of work were you doing up until 12:00 o'clock?

A. I was working on the big sander, putting on some paper on that, and oiling, and first one thing and then another.

Q. Until 12:00 o'clock, until 1:00 o'clock, were you doing any heavy work?

A. Yes sir, we were doing heavy work, working on machinery, and making a racket; we couldnt hear anything at all.

Q. What sort of racket were you making?

A. Hammering on machinery.

Q. Did you hammer in the morning on machinery too?

A. Yes sir, until 1:00 o(clock we were working on the machine, and on until about ten minutes to 5:00 I guess.

Q. What work were you doing on the machines?

A. We were cutting some carrier belts, and putting in a plank partition in the long box.

Q. What time did you commence putting in that partition?

A. I suppose about 12:00 o'clock.

Q. Had you done any hammering up to that time?

A. Yes sir.

Q. What were you hammering on to that time?

A. Well, we were taking it out, and again to put it back; it didnt take much hammering to take it out, but we knocked it.

Q. What time did you take it out?

A. About ten o'clock.

Q. You were not doing anything but that from ten o'clock on?

A. Till we quit work.

Q. Taking out that wooden partition in the long box and putting in a new one?

A. Yes sir.

Q. Where were you?

A. Nearly to the back.

Q. Did anybody come up there that day to see you?

A. Yes sir, the first one was May Barrett.

Q. What time did she get there?

A. She come up a little after 12:00 o'clock--I think about ten minutes after 12:00.

Q. You are sure about that?

A. May Barrett came about ten after 12:00 or after 11:00--I forget which.

(Witness was advised as to what May Barrett's statement was as to the time she was there).

Well, it might have been about a quarter to 12:00.

Q. She stayed a few minutes?

A. Yes sir.

Q. When do you say she came up there?

A. She came up about, somewhere about 12:00 o'clock. I would not be positive as to what time it was.

Q. Your best recollection is about 12:00 o'clock, or a little before 12:00?

A. Yes sir.

Q. How long did she stay up there?

A. About 15 or 20 minutes--talking.

Q. Then she came down?

A. Yes sir.

Q. After she had been up there about 15 or 20 minutes. Then she must have left there about 12:05?

A. Yes sir, because she stayed about 15 or 20 minutes--that's correct. While she was up there, Corinthia Hall and Emma Freeman came up, while she was up there, and told Arthur White to come down, that his wife wanted to see him.

Q. Who did that?

A. Emma Freeman did that.

Q. Who is Emma Freeman?

A. That's Emma Freeman, that used to be the forelady up there. She quite week before last.

Q. She is the one, that married?

A. Yes sir.

Q. Emma Freeman she is married, and she was Emma Clark?

A. Yes sir.

Q. She came up there, while you all were up there, and while May Barrett was up there, and told Arthur White that his wife wanted to see him?

A. Yes sir, and he came downstairs.

Q. Then Emma Freeman wrapped up a skirt there, or coat, and then she came down?

A. Yes sir.

Q. Where is that painting machine?

A. I was working on next to the first one, next to the round table.

Q. That's about the center of the building, aint it, Mr.Denham? You look when you go back there. We just want to get it straight. Now, how long did Mrs. Freeman stay there?

A. Mrs.Freeman stayed up there about 5 or ten minutes I reckon.

Q. Then did she come on down?

A. Yes sir.

Q. Did she come by herself?

A. Corinthia Hall was with her.

Q. Did she and Corinthia Hall go up there together to tell White that his wife was down here?

A. Yes sir.

Q. And they stayed five or ten minutes?

A. Yes sir.

Q. About what time did they leave?

A. A little after 12:00, ten or fifteen minutes after 12:00, I guess.

Q. When Mrs.Freeman and Corinthia Hall left?

A. Yes sir.

Q. Did they leave before Mrs.Barrett left?

A. They left after she left.

Q. She must have left then about 12:05, and they left about 12:10 or 12:15?

A. Yes sir.

Q. Did you come down at all, Mr.Denham?

A. Not during the day. I came down about 9:30, me and White came down here with Mr.Holloway. He came up there to see us, and we came down with him to saw some pieces.

Q. What time was that?

A. About 9:30.

Q. I think your time is wrong on that, Mr.Denham.

A. Well, that's the first time I have been asked that.

Q. Now that's the only time you were down here?

A. Yes sir, that's the only time White and I came down at all.

Q. White himself came down about 12:00 o'clock?

A. Yes sir.

Q. How long did he stay downstairs?

A. About ten minutes, I reckon.

Q. Then did he come up there?

A. Yes sir.

Q. Who came with him?

A. No one,

Q. Was his wife with him?

A. No sir.

Q. Was May Barrett up there when he came back?

A. No sir, she had come down.

Q. What time did Mrs.White come back?

A. About 12:30.

Q. Did anyone come with her?

A. No one,

Q. How long did she stay up there? Did she stay till Mr.Frank came up there?

A. Mr.Frank came up there, and called to her, and said "Mrs.White, I am going to lock the doors at 1:00 o'clock".

Q. Did he ask you all were you through?

A. He asked us if we were through, or would be through, and we told him we would not be through, and he said "well, just stay; I'll be back about 3:00 o'clock". Then he went on back when he said that to Mrs.White.

Q. Then how long did Mrs.White remain?

A. He came up and told us that, and then Mrs.White came on down.

Q. That was about 1:00 o'clock?

AMERICAN JEWISH ARCHIVES

A. Pretty close to it.

Q. Didnt you start to hammering on that wooden partition you were putting in after Mr.Frank was up there?

A. Yes sir. We had been hammering on it before he came up, and we just stopped to talk to Mrs.White, and then Mr.White and Mrs.White got to talking, and I stopped and waited for them to get through talking their business.

Q. How long did you stop? You were not hammering when Mr.Frank came up there?

A. No sir.

Q. How long since you had been hammering?

A. We just had stopped. Mrs.White came about 12:30.

Q. You stopped from 12:30 until Mr.Frank came up?

A. Yes sir.

Q. Where are the wheels of the elevator?

A. There are some wheels on the top floor on the left hand side going in the door.

Q. The factory was not running that day?

A. No sir.

Q. Everything was quiet except the noise you were making?

A. Yes sir.

Q. Nobody else was making any noise?

A. No sir.

Q. Was the elevator running that morning?

A. I didnt hear it.

Q. Would you have heard it, if it had been?

A. I think I would. When it stops, it rumbles, and, when it starts, it rumbles, and shakes the floor, and that wheel being up there on the top of a plank, when you move it up and down that way, you can hear it.

Q. Did you hear any machinery running that day except that little saw, that you all ran there?

A. That's all I heard.

Q. Have you stood in the same position you were in that day since?

A. Yes sir, and the detective stood there one day, and they started the elevator off. He said he heard it, but I didnt.

Q. The detective said he did hear it?

A. Yes sir.

Q. You didnt hear it?

A. I didnt.

Q. Was that during the week?

A. Yes sir, that was during the week.

Q. Was the machinery running?

A. No, it was 12:00 o'clock.

Q How many people were in the building?

A. Crowded.

Q. Does people being in the building create noise more or less?

A. Everybody was quiet.

Q. The windows were open, and there was noise on the street?

A. Yes sir. The front windows were open. We had the side windows down on the side we were working on.

Q. On one side of the building the windows were open?

A. Yes sir. This side here was all closed up.

Q. Then you all stayed up there till 3:00 o'clock?

A. Till ten minutes after three, when we left.

Q. What time did Mr.Frank get here?

A. About 3:00 o'clock. He came right on upstairs before he pulled his coat off, and told us he had come back, and asked us if we were through, and we told him we were there, washing up. We got washed and ready to come down about ten minutes after 3:00.

Q. Did you and White come down together?

A. Yes sir. We came into this inner office, and I stood right back here, and Arthur stood at the corner of the desk, and Arthur borrowed $2.00, and got it every bit in quarters. I said "Arthur, you are going to play some pool". I cant play pool myself, and I just said it as a joke. So we went on them.

Q. What was Mr.Frank doing, when you all came in here?

A. Writing at his desk as usual.

Q. What sort of thing was he writing on?

A. I never paid much attention to it. He was writing--he was using a pencil--I think there were some bills he had.

Q. Then you left?

A. Yes sir.

Q. And you didnt come back any more?

A. No sir.

Q. When did you come back? Did you come back Monday morning?

A. Yes sir, came back Monday morning.

Q. Mr.Frank was not here Monday morning?

A, No sir, I seen Mr.Frank Tuesday morning.

Q. Where was he, when you saw him?

A. He came through the building.

Q. On the fourth floor?

A. Yes sir.

Q. Did you see him speak to anybody there?

A. No sir.

Q. He just walked through and back?

A. Yes sir.

Q. You knew that was the very morning he was arrested about ten o'clock?

A. Yes sir, I heard about it.

Q. You didnt see it, but you heard about it?

A. Yes sir.

Q. And you had not seen Mr.Frank since you were down before the Coroner?

A. Down at the station house--I seen him once down there.

Q. When did you see Conley? Did you see him on Monday?

A. Yes sir. I seen him in the station house.

Q. Did you see him the Monday after the murder?

A Yes sir.

Q. Where was he when you saw him?

A. Sweeping,

Q. Did you say anything to him?

A. No sir.

Q. Did you see him Tuesday, and Wednesday, and Thursday?

A. I seen him upstairs on Tuesday.

Q. Did you speak to him?

A. No sir, I hardly ever said anything to him.

Q. Did you notice anything peculiar about him?

A. He couldnt hold his head up--I noticed that.

Q. Had he been in the habit of holding his head up?

A. Yes sir.

Q. Was he quiet and his head down?

A. He seemed to be quiet.

Q. He never had anything to say to anybody?

AMERICAN JEWISH ARCHIVES

A. No sir.

Q. Mr.Denham, did you know the little Phagan girl?

A. Yes sir.

Q. You didnt see her that day?

A. No sir.

Q. Mr.Denham, you can look down from the landing on the third floor directly down to where the elevator is, cant you--stand on the stairs there and look down?

A. Yes sir.

Q. You can see the floor down here?

A. Yes sir.

Q. In plain view?

A. Yes sir.

Q. When Mr.Frank came up there a little before 1:00, did you notice anything unusual about him, anything that attracted your attention at all?

A. No sir, nothing at all.

Q. Was he pale?

A. No sir, he looked like he always was.

Q. Did he look like he always did about 3:00 o'clock?

A. Yes sir. He was always a kind of a nervous man, always rubbind his hands.

Q. You didnt notice anything peculiar about him, when he loaned that money, did you?

A. No sir. "His wife robbed him"--I think that's what Arthur said.

Q. He had a way of rubbing his hands together?

A. Yes sir.

Q. You never saw Mr.Frank do anything imprudent with these girls?

A, No sir.

Q. Mr.Denham, character is reputation, you know. Its not what a man is, but what people say about him. Prior to this difficulty did you know Mr.Frank's generalcharacter or reputation or both?

A. I dont know nothing against him.

Q. Do you know what people said about him?

A. Yes.

Q. Then you know his general character?

A. Yes sir.

Q. Was it good or bad?

A. It is good.

Q. Was that door out there in the back that day open or closed?

A. I dont know.

Q. Mr.Denham, you went before Mr.Dorsey, didnt you?

A. Yes sir.

Q. Did you go down to the Court House?

A. Yes sir.

Q. Did he subpoena you to come down?

A. No sir.

Q. Did he ask you to come?

A. Yes sir.

Q. Did he ask you anything other than what we have asked you?

A. No sir, nothing at all, just about the same thing.

Q. He didnt ask you anything that we have not asked you?

A. No sir.

Q. Have the detectives seen you?

A. About 40 of them.

Q. Did they come to your house or here?

A. They came here.

Q. What did they ask you?

A. First one foolish question and then another.

Q. Did they ask you about Mr.Frank, how he treated the girls?

A. Yes sir. He always treated them right as far as I seen. I never seen him treat nobody out of the way.

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EXAMINATION OF ROBERT P.BARRETT.

Q. How long have you worked here, please sir?

A. I have been here about six months, the last time, five or six.

Q. Did you work prior to that time here?

A. Yes sir. I have worked here before that.

Q. About how long have you worked here in all?

A. About three yeas.

Q. You have known Mr.Frank three years then?

A. Yes sir.

Q. Were you paid off on Friday?

A. Yes sir.

Q. Were you here Saturday at all?

A. No sir.

Q. When did you first hear of the murder?

A. Sunday evening about 5:00 o'clock.

Q. You didnt hear of it Sunday morning?

A. No sir.

Q. Did you come to the factory on Sunday at all?

A. No sir.

Q. Your first trip here was Monday morning?

A. Yes sir.

Q. That was the morning that Mr.Frank was not here?

A. I dont know, sir. I didnt see him.

Q. What time did you come in Monday morning, Mr.Barrett?

A. Bewteen 6:30 and 7:00 o'clock.

Q. What did you do when you came in?

A. I went on back, and put on my overalls, and, when the whistle blowed, I went to work.

Q. What floor do you work on?

A. This floor.

Q. What work do you do, Mr.Barrett?

A. Machinist.

Q. You keep the machines in order?

A. Yes sir.

Q. You dint have anything to do with the manufacturing?

A. Yes, I have something to do with the manufacturing.

Q. How so? You make tools?

A. Tools, and anything else.

Q. You didnt work but just until about 9:00 o'clock that morning?

A. I think about 9:00.

Q. Did the factory shut down then?

A. Yes sir.

Q. Then where did you go?

A. I went down to the Coroner's Inquest, where the girl was, but I couldnt get in; I didnt get to see her.

Q. Do you know little Mary Phagan?

A. Yes sir.

Q. Did she work in your department?

A. Yes sir.

AMERICAN JEWISH ARCHIVES

Q. What sort of a looking girl was she, Mr.Barrett?

A. She was a right nice-looking girl, round-faced.

Q. Was she a blonde or a brunette?

A. She had sort-of dark hair--I never could inspect her hair very close--it looked dark.

Q. She had black hair or brown hair?

A. It looked dark-reddish hair.

Q. What sort of eyes did she have?

A. I dont know sir.

Q. Was she a good lusty strong girl or a delicate girl?

A. She was a strong-looking girl, a chunky girl.

Q. About how much would she weigh?

A. She looked to be about 105 or 110.

Q. Did you come back then Tuesday morning, Mr.Barrett?

A. Yes sir.

Q. Did the factory run all day Tuesday?

A. I dont remember, sir. I cant remember whether it did or not.

Q. Mr.Frank was here a little while Tuesday morning--did you see him?

A. No sir.

Q. You heard he was arrested during the morning?

A. Yes sir.

Q. Did you make any examination of the first floor of the factory on Monday morning?

A. Not the first floor.

Q. On this floor, the office floor, is what I mean.

A. Yes sir.

Q. What examination did you make?

A. Well, I understood she was murdered in the metal department, and I went to looking, and I discovered this unusual spot out in front of the girls' dressing room.

Q. Whereabouts, Mr.Barrett?

A. A spot there infront of the dressing room.

Q. Right there in the passage way as you go down?

A. Yes sir.

Q. Had your attention ever been called to that before?

A. No sir.

Q. You had never looked for anything like that before, had you?

AMERICAN JEWISH ARCHIVES

A. No sir.

Q. That was not a solid stain, but spots, was it not?

A. There was a big spot, that had been covered over, and then little spots, that led up to it. The little spots were not covered up.

Q. What had been put on the larger spot?

A. This white stuff they use back there on the machines.

Q. They use that for lubricating?

A. Yes sir, it looked like that had been put on it. It was white.

Q. When did you first notice that?

A. About 8:00 o'clock.

Q. Did anybody call your attention to it, or did you just see it?

A. Yes sir.

Q. Is that the place they chipped up some little pieces there?

A. Yes sir.

Q. Did they chip up all of the stains?

A. No sir, they left some of the little smaller spots. They just chipped up the larger spots.

Q. Can you see those little stains there now?

A. No sir.

Q. This stuff that had been put on them had not been concealed?

A. No.

Q. Whose atention did you call to that?

A. Mr.Darley's.

Q. I believe you said you had never looked for it, and your attention had never been called to it before?

A. No sir.

Q. Anybody ever get hurt back there?

A. Not since I have been here. I think Mr Gilbert got hurt there with an emery wheel, but I was not working here at the time.

Q. You called Mr.Darley's attention to the spots, and he saw them soon after you saw them? He saw them before they were interfered with?

A. Yes sir.

Q. Did you find anything else in the factory there? Did you examine for anything else?

A. I found the hair.

Q. Where did you find that?

A. On the handle of the lathe.

Q. How many hairs?

A. Looked to be about a dozen.

Q. What sort of hair was that?

A. Dark reddish hair.

Q. Was it tight around that little knob?

A. When I put my hand on the handle to turn it, some of the hair twisted around my fingers.

Q. Did you call anybody's attention to that?

A. I think I called Mr.Darley's attention to it and all those girls. The whole polishing roomxx is full of them.

Q. If you saw the one you called the attention to it, would you know her?

A. Oh, I dont know.

Q. There were about a dozen strands?

A. Yes sir.

Q. Were they knotted together, or just a few loose strands of hair?

A. They were twisted around my fingers there. They had been twisted around that little knob; that little knob turns; and when I put my hand on it, it was twisted around my fingers.

Q. Was that knob loose or tort, when you started to turn it?

A. You could turn it either way.

Q. You called Mr.Darley's attention to it, and some young ladies?

A. Yes, and they all came there, and looked at the hair and said it was her hair.

Q. How many girls work in your department?

A. Four.

Q. Only four girls work in the metal department?

A. Yes sir.

Q. You dont know their names?

A. I know the names in the metal department.

Q. Were those the girls you showed the hair to?

A. Yes, some of them.

Q. Give the names of those in the metal department.

A. Grace Hix/.....

Q. Was she working here then?

A. Yes sir, she had been off, but she was in the metal department that morning....a girl named..."Magnolia" was her given name. I think that was all in the metal department. I dont think the other girls were there; I dont remember seeing them

Q. How about the Ferguson girl?

A. I dont remember seeing her. I think Magnolia and Grace, and all these other girls in the polishing department was there.

Q. There's just a partition between there and the metal department?

A. Yes sir.

Q. And those girls go all over that part of the house?

A. Yes sir.

Q. There's a place there where the girls fix their hair, is there not?

A. Yes sir.

Q. How close?

A. About ten feet.

Q. They have got a tube, that they attach to the gas jet?

A. Yes sir.

Q. That's three or four feet?

A. No sir, that's ten feet.

Q. That's between the back windows and the machinery?

A. Yes sir.

Q. Do those girls in the polishing department also go back there and fix their hair?

A. No sir. Nobody fixes their hair there except the four girls in the metal department. That's all I ever saw.

Q. When had that machine been used?

A. I had been using it off and on the week before.

Q. Had it been used on Friday before?

A. Yes sir. I left a piece of work in there.

Q. Who used that machine?

A. I did.

Q. What time Friday did you use it?

A. Late Friday evening.

Q. Did you leave the work in the machine?

A. Yes sir.

Q. Was it in there when you came back?

A. Yes sir.

Q. You didnt finish it?

A. No sir.

Q. Was the machine just as you left it?

A. As near as I could tell.

Q. You saw no change in the machine?

A. No sir.

Q. You had some work in it, and you went back, and found the work just as you had left it, and the machine did not seem to have been disturbed?

A. No sir.

Q. Was that the last work you did on Friday evening?

A. Yes sir, that's the last job I had.

Q. That was the work you quit on?

A. Yes sir.

Q. What sort of work does that machine do, Mr.Barrett?

A. It makes little articles something like this, you know. (exhibiting some little cylindrical moulds of some kind). It makes screws, and bolts, and things of that kind too.

Q. This machine you used alone? Nobody else used it but you?

A. Mr.Quinn uses it some.

Q. It makes tools--it dont make pencils then?

A. Yes sir.

Q. Mr.Barrett, did that spot, that you saw there, look like it had had a broom swept over it?

A. Yes sir.

Q. Did you examine the broom afterwards?

A. Yes sir.

Q. Where did you find the broom?

A. Right by the side of the wall. The blood was here (indicating) and the broom was here (indicating).

Q. How far is that wall off from the spot?

A. About four feet.

Q. Did you find that bucket of that stuff about there anywhere?

A. The bucket was over there behind the eyelet machine.

Q. How far was that from that place?

A. Well, these distances--I am just guessing at this you know; I cant be perfect at it--it looked to be about 8 or 10 feet from the blood.

AMERICAN JEWISH ARCHIVES

Q. Now who chipped that floor up? Did you do it?

A. Yes sir.

Q. Whom did you give the chips to?

A. I think Chief Beavers got some of them; I think detective Black--I believe his name was--got some.

Q. Mr.Haas got some?

A. I dont know MrrHaas.

Q. What did you find on the broom?

A. The broom was black, the end of it. The machine shop floor is black and greasy.

Q. Did they get you to carry the broom down to the solicitor?

A. They sent for me to bring the broom.

Q. Any broom would be black to sweep in that grease there, wouldnt it?

A. Yes sir.

Q. That floor is a pretty hard proposition, is it not--greasy, and has a layer of dirt all on it?

A. Yes sir.

Q. You can take an umbrella handle and scrape it up?

A. Yes sir.

Q. Grace Hix was not working the week before?

A. Some of them said she worked here a day, but I dont remember.

Q. Mr.Barrett, were you here the ~~xxx~~ the time the police or detectives had the building closed up? At dinner time?

A. I dont remember when it was.

Q. The time they brought Conley in?

A. Yes sir, I was here.

Q. Did you go with him all over the factory?

A. No sir.

Q. Were you in the metal room?

A. No sir, I had to get out of the building.

Q. You were here one night when you were on top of the building?

A. Yes sir.

Q. What did they want you on top of the building for?

A. Looking for evidence.

Q. Did you find anything up there?

A. No sir.

Q. The only thing you found was that stain, that you told us

about, whether it was blood or what itwas?

A. Yes and the hair.

Q. It was a red stain--you dont know what it was?

A. No sir.

Q. Mr.Barrett, did you see Conley Monday morning?

A No sir.

Q. Do you know Conley pretty well?

A. I know him when I see him. I never had any dealings with him.

Q Did you have any talk with him that week at all?

A. No sir.

Q. Mr.Barrett, what was Mr.Frank's demeanor towards the girls here? How did he treat them?

A. He treated everybody mighty nice. I never saw him mistreat anybody.

Q. Mr.Barrett, character is the reputation a man bears. It is not what he is, but the reputation he bears. In a legal inquiry, if you want to know what reputation a man bears, you ask do you know his general character. Did you know Mr.Frank's general character in the sense that I have explained to you? What was his reputation here in the factory, and with people, who dealt with him? Was it good or bad?

A. It was good.

Q. Then you would know his general character, and you say his general character was good?

A. Yes sir.

Q. Mr.Barrett, did you ever see Conley in jail?

A. No sir.

Q. You never had any talk with him at all?

A. No sir.

Q. You went down to Mr.Dorsey's, and he asked you to tell just what we have asked you?

A. Yes sir.

Q. You say the broom was black?

A. Yes sir.

Q. Did he ask you about other things than what we have asked you about?

A. No sir.

Q. He went over the same things that we have?

A. Yes sir.

RE-EXAMINATION OF HARRY DENHAM (RECALLED).

Q. All right, Mr.Denham.

A. I want to explain about something I got to studying about. When me and Arthur were down here with Mr.Holloway, sawing them slats or pieces of lumber, May Barrett came up at that time, and she stood there and waited on us until we got the lumber out, and then she went on upstairs with us.

Q. What time was that now?

A. That was about a quarter past 11:00 or 20 minutes past 11:00. May Barrett stayed up there, I guess, about 20 minutes. She stayed up there until Miss Clark and Miss Corinthia Hall came up, just about 10 or 15 minutes till 12:00, and told Arthur White that his wife was down here. Then me and May Barrett stayed up there then, and she asked me to wrap up some burlap sacks for her, and I wrapped up the sacks for her, and as soon as I got them wrapped up, she came down. White came up then, or he came up before she came down, and then she came on down, and he and I went to work on the machine.

Q. Where is that machine in the factory?

A. I went up there, and measured, and as near as I could find, its 31 feet from the back and 41 feet from the front.

Q. In the morning before you came down here to get this plank sawed, what work were you doing up there?

A. I was putting on sandpaper at that time.

Q. Were you doing any hammering on machines at that time?

A. No sir not at that time.

Q. You didnt do any hammering until after you sawed the plank?

A. Yes sir.

Q. You didnt do any hammering while White was working up there with you?

A. While White came down here, I didnt do any hammering myself at all.

Q. What time did White come down here with his wife?

A. I suppose about a quarter to 12:00, somewhere along there. I just got balled up a while ago.

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Informally, Mr.Darley here stated that the hair on this machine was light. "It was as light as Mr.Rosser's; if anything, it was lighter".

Mr.Schiff also informally stated that he saw the hair, and the blood-spots, and "it looked like something had been thrown down, and something white swept over it".

Mr.Darley suggested that "that white stuff would get spilled all around in the course of its use".

These remarks were informal.

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EXAMINATION OF GRACE HIX.

Q. Was Mary Phagan's hair much darker than yours?

A. Her hair was just about the color of his.(Arnold's).

Q. It was not as dark as mine?

A. I cant tell. All I know is she had sandy hair.

Q. She had blue eyes, and she was what you would call a blonde?

A. Yes sir, she was a blonde. She was not a brunette.

Q. Grace Hix is your name?

A. Yes sir.

Q Did you work here the week the little girl was murdered?

A. I worked here till Wednesday.

Q. How came you to stop off Wednesday?

A. The metal gave out and we had nothing to do.

Q. You worked in the metal department and Mary Phagan worked in the metal department?

A. Yes sir.

Q. Magnolia Kennedy, and Helen Ferguson, Mary Phagan, and you were the only girls that worked in there?

A. Yes sir.

Q. Were you all young girls?

A. Yes sir, I was the oldest one.

Q. How old are you?

A. 17.

Q. Older than the little Ferguson girl?

A. Yes sir.

Q. How long have you been working here?

A. I have been working here about 5 years.

Q. So you started when you were a right young little girl?

A. 13 years old.

Q. You worked in this same department?

A. Well, I worked upstairs on the top floor about six months.

Q. You knew the little girl, Mary Phagan, very well?

A. Yes sir.

Q. About how much would the little girl weigh?

A She wuld weigh about 115.

Q. How tall was she?

A. She came up to about along there on me.

Q. How high are you?

A. About 5 feet and three inches.

Q. Was she about 5 feet?

A. Yes sir.

Q. Was she a strong girl?

A. Yes sir, a kind of a strong girl.

Q. She was stouter than you are?

A. Yes sir.

Q. When did you get your pay?

A. I got it Friday night.

Q. You came Friday for yours?

A. Yes sir.

Q. Now you were not at the factory on Saturday?

A. No sir.

Q. You didnt see little Mary Phagan that day at all?

A. No sir, I had not seen her since Monday; she left at 8:00 o'clock.

Q. How did it come that she didnt stay as long as you did?

A. Her work gave out before the rest did.

Q. You work on different machines?

A. Yes sir.

Q. You worked till Wednesday?

A. Yes sir.

Q. Did you come back Monday morning?

A. No sir, I did not.

Q. You were not at the factory Monday or Tuesday?

A. No sir, I didnt come back until about a week after that. I didnt come back to work untilSaturday three weeks ago.

Q. And you didnt see that darkey Conley after the crime was committed at all?

A. No sir.

Q. Where did you girls fix your hair back there?

A. Sometimes I would curl my hair, and I would go over there on the table where they found her hair at--not at the machine, but it was where the gas was.

Q. How far off?

A. As far as from here to the front door.

Q. Did the other young lady curl her hair there?

A. No sir. Mary's hair was curly; so she didnt curl hers.

Q. Did the girls from the polishing department come and fix their hair there?

A. No sir.

Q. Just you girls that were in there?

A. Yes sir.

Q. Did you see that hair, that they found there?

A. No sir.

Q. Did you see little Mary after she was dead?

A. I was the one that identified the body.

Q. Did you look at her face, Miss Grace?

A. Yes sir.

Q. Was it bruised?

A. Yes sir, it was bruised right bad. It was either right there or in the eye, one, that she was bruised, in the face somewhere, and one of her teeth was knocked out--I am not sure, but I think one of her teeth was knocked out there.

Q. How did it look like it had been done?

A. She looked like she had been hit with something right there, it was bruised, and a hole in her head here. She had shavings all in her hair.

Q. Did she have any splotches on her face?

A. She was mighty near black.

Q. She had shavings in her hair?

A. Yes sir.

Q. Had she already been prepared for burial when you saw her?

A. No sir. My brother-in-law came out after me--he thought it was me--and he telephoned out to my house to see if it was me--

and it was about 4:30 when he came to my house, and we came up town.

Q. She still had cinders in her face, or had her face been washed?

A. It had been rubbed off, but it had not been washed.

Q. She had sawdust in her hair?

A. Yes sir.

Q. What kind of dirt did she have in her mouth, cinders or dirt?

A. I didnt pay much attention—it scared me.

Q. You didnt know who it was until you went in and looked?

A. Yes sir, I just glanced, and I knew who it was.

Q. Just as soon as you saw her you knew who she was?

A. Yes sir.

Q. You have known her a long time?

A. About a year.

Q. You have known Mr.Frank ever since you have been here?

A. Yes sir.

Q. What was Mr.Frank's treatment of the girls?

A. He was mighty nice to the girls. He never spoke to none of us girls back there. I have only spoke to Mr.Frank three times since I have been here.

Q. Did you ever see him speak to Mary Phagan or hear him say anything about her?

A. No sir.

Q. Did you ever hear him say anything about her one way or the other?

A. No sir.

Q. What's the color of the hair of those other two girls?

A. Magnolia's hair is mighty near the color of Mary's.

Q. That's about the color of yours?

A. I have mighty near forgotten exactly the color of Mary's hair, but she had a sandy-colored hair.

Q. What about this other little girl—Helen Ferguson's?

A. She had black hair.

Q. In curling your hair you take it down?

A. No sir, I curled it.

Q. Dont you, when you switch it out to some extent—dont the girls take their hair down?

A. Yes sir, but they dont take it down over there.

Q. Dont they sometimes walk around the factory combing their hair, or do they go to some particular place?

A. Most alk the time we go to a table, and sit down close to the machine, that I am running, right next to the machine Mary Phagan ran.

Q. In combing hair strands of it come out of course frequently?

A. Yes sir, I guess so.

Q. You have seen combings from the hair in the comb, have you not?

A. Yes sir.

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EXAMINATION OF MAGNOLIA KENNEDY.

Q. Miss Magnolia, how long have you worked here, please?

A. About four years.

Q. Where have you worked all that time?

A. In the factory, in the metal department.

Q. How old are you?

A. 16.

Q. You knew little Mary Phagan then?

A. Yes sir.

Q. You got your pay--did you quit that week too?

A. Yes sir.

Q. You didnt work all the week?

A. No sir, we quit Wednesday.

Q. Mary quit on Monday, and you quit Wednesday?

A. Yes sir.

Q. You all quit because the metal was out?

A. Yes sir.

Q. How big a girl was Mary Phagan?

A. She was a heavy-set girl.

Q. How much do you think she would weigh?

A. About 110 pounds.

Q. How tall was she? Was she as tall as you are?

A. No sir.

Q. She was younger than you?

A. Yes sir.

Q. And weighed more than you?

A. Yes sir.

Q. Miss Magnolia, what sort of hair did little Mary Phagan have?

A. She had light brown hair.

Q. How did it compare with what little I've got?

A. It was about the color of this gentleman's (Arnold's).

Q. Then it was a little lighter than mine?

A. Yes sir.

Q. Did you girls dress your hair back there, comb your hair?

A. Yessir.

Q. Where did you all comb your hair?

A. Over there by the machines where we worked.

Q. Did you sometimes curl it?

A. Yes sir.

Q. Where?

A. Over there on the work table, but Mary never did curl her hair.

Q. Did you ever curl yours?

A. No sir. Grace Hix was the only one, that curled hers.

Q. Did Mary wear her hair loose?

A. Sometimes she would put it up, and sometimes she would wear it down.

Q. Miss Magnolia, did you come back on Monday after the crime was committed?

A. Yes sir.

Q. What time did you get here?

A. About a quarter to 7:00.

Q. That was the morning that Mr.Frank was not here--you didnt see him that morning?

A. No sir.

Q. You didnt keep the factory open but a little while?

A. I went home before the factory closed, about 9:00 o'clock.

Q. Did you see that negro Conley? Do you know him?

A. Yes sir, I know him when I see him.

Q. Did you see him that Monday? Did you see him any time before he was arrested?

A. No sir.

Q. Did he ever try to borrow any money from you girls back there?

A. No sir.

Q. Miss Magnolia, tell us how Mr.Frank treated you girls back

there. Did he treat you right?

A. Yes sir, he always treated us all right; he never did speak to us. only about the work.

Q. Did you ever see him speak to the Phagan girl?

A. I saw him speak to her once about the work, and he told her to tell Mr. Quinn the tips were not cutting.

Q. You never heard him say anything to her except about business?

A. No sir. I only saw him speak to her once.

Q. Did they take you to the Coroner's Jury?

A. No sir.

Q. You never went down to the police station?

A. No sir.

Q. Those stands of hair—in fixing your hair, you would lose a strand of hair once in a while?

A. Yes sir.

Q. Combings are liable to catch on machines, or anywhere around there, aint they?

A. Yes sir.

Q. Have you not seen strands of hair around where the girls work?

A. I have not seen any on the machines; I have seen it on the floor and on the tables.

Q. Miss Magnolia, did you see the hair, that was found on the machine that morning?

A. Yes sir.

Q. What color of hair was it?

A. Light brown hair.

Q. Did you compare it with your hair? Anybody compare it with your hair?

A. No sir.

Q. How did it compare with your hair?

A. It was a little lighter than mine.

Q. Let's see your hair. (removed a covering from it, and exposed curl papers). Ah, she's got hers fixed to curl now!! Is your hair the same color all the way through?

A. No sir, ends of the hair are frequently a little lighter. My hair on top is darker than it is here.

Q. How many strands of hair were found on that machine?

A. I dont know.

Q. Who found those strands of hair?

A. Mr.Barrett.

Q. Did he call your attention to it?

A. He called Mr.Quinn, and he asked me if I thought it was Mary's hair.

Q. What did you say?

A. I told him I did.

Q. How many strands of hair were there?

A. I dont know. A right smart though.

Q. A half a dozen you reckon?

A. Yes sir.

Q Can you tell from one strand of hair what the color is? You cant tell just one or two or three--its guess-work, is it not?

A. Yes sir.

Q. Dont you have to have a good deal, a handful, with some thickness to it, to tell what the color is?

A. Yes sir.

Q. You dont know whose hair it was?

A. No sir, but it looked like Mary's.

Q. You say her hair is a little darker than yours?

A. A little lighter.

Q. Did you know a girl named Alice Kennedy, that ever worked here?

A. No sir.

Q. She is nokin to you, if she did work here?

A. No sir.

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EXAMINATION OF LEM QUINN.

Q. Mr.Quinn, what time did you get here on Monday after the murder?

A. About 5 minutes to 7:00.

Q. Mr.Frank didnt come downthat morning at all?

A. Yes, I believe he was down.

Q. Arent you mistaken about that?

A. I dont think so.

Q. He was here Tuesday morning?

A. Yes sir.

Q. Did you see what was claimed to be blood back there?

A. Yes sir.

Q. Who called your attention to that?

A. Mr.Barrett.

Q. What time of day did he call your attention to it?

A. Just before 7:00 o'clock, just as I come in the building. He had discovered it before I got here. He asked me if that was not blood, and I said yes. The first thing he asked me was "who was that girl"? "Did she work for you"? I said "Yes, she worked on this machine". He seemed surprised. He said "What--on this machine"? I said "Yes". Then he began to look around. He didnt seem to know her. He didnt know her--he had never had his attention called to her.

Q. When he asked you if it was blood, what did you tell him?

A. I told him it looked like it.

Q. Was it fresh or old?

A. It didnt seem very fresh--it looked dark.

Q. Did it look like it was of long standing? Had you ever had your attention called to it before?

A. I had never noticed it before.

Q. Did you have to look for it to find it?

A. It was visible all right, but you would have looked all over it without seeing it.

Q. That floor is very badly stained, is it not?

A. Yes sir.

Q. There are so much red stains there--aniline stains ?

A. I suppose there are.

Q. You carry it back and forth to the polishing room--that's how far?

A. It connects with this place. While none of that stuff passes through there, women come through there with it on their hands, and they have to come through my department to wash.

Q. Now what was on it--some white stuff?

A. Yes sir.

Q. What was that, the stuff on it?

A. We dont know. It looked like face powder or chalk--that's what it looked like to me. They had an idea it was that compound we use.

Q. You think it was powder of some kind?

A. Yes sir.

I think so, because it looked very much like powder or chalk, because it remained there, you know, and any greasy substance would have soaked into the floor.

Q. Had it been swept?

A. It seemed to have been swept.

Q. Did you find the broom?

A. The broom was about four or five feet, I suppose, away from where this spot was.

Q. Did you look at the broom?

A. Yes sir.

Q. You didnt see any white stuff on the broom?

A. No sir.

Q. There was no indication that the broom had been swept over white stuff?

A. No sir.

Q. How big a place was this spot? Was it a solid spot or just spots?

A. In the center there seemed to be a pretty solid spot, and on the side it looked like little streaks, like it had been spattered.

Q. They cut it all up out there?

A. Yes sir.

Q. Mr. Quinn, did you see the hair?

A. Yes sir.

Q. Who called your attention to the hair?

A. Mr. Barrett.

Q. Tell us about what sort of hair it was---was it wrapped around that handle?

A. It seemed to be wrapped, or wound around the handle.

Q. Looked like it was wound around the handle?

A. Yes sir.

Q. What sort of color was it?

A. Dark was all I could tell---there were so few strands---I couldnt tell whether it was black or brown, there were so fewstrands of it.

Q. How many would say there were---five or six?

A. About a half a dozen.

Q. Who took that hair, you know?

A. I think Chief Beavers had it.

Q. Did you know this little Phagan girl very well?

A. I have know her ever since she has been here, four or five months.

Q. What sort of hair did she have?

A. Brown--or it was pretty near the color of Magnolia Kennedy's here.

Q. Did you see them take that hair and compare it with any of the girls' back there?

A. No sir.

Q. Your opinion is that it is just about the same color as Magnolia's?

A. Yes sir.

Q. That's the best estimate you could make?

A. Yes.

Q. Was it as light as yours?

A. You cant tell the color of my hair.

Q. Was it as light as yours?

A. I dont think it was hardly as light; still it looked lighter than it really was.

Q. How much did that little girl weigh?

A. She weighed about 110, maybe 115; she was a pretty stout little girl.

Q. How tall was she?

A/ She was about five feet.

Q. Mr. Quinn, did you go--did you see the little girl after she was dead?

A. Yes sir. I saw her down at the undertaking establishment.

Q. What was the first time you knew about her being killed?

A. Sunday morning about 8:30. I went down on Woodward Avenue, and at the corner of Woodward Avenue and Pryor Street a policeman told me about it, and then I went up to the undertaking establishment and saw her.

Q. What was the condition of her face--was it dirty?

A. Yes sir.

Q. What was on it?

A. I didnt see any foreign substances on it; it was just discolored, while her hair had shavings in it, pencil shavings.

Q. What injuries did you see on her face?

A. Her eye was all bruised.

Q. Which one?

A. I cant remember which one. She had a few scratches on her forehead. So far as any other bruises on her face, I cant remember.

Q. How did the scratches seem to be made on her forehead?

A. I couldnt tell. I didnt stand and look at her very long. I just looked at her and recognized her. There were not very many scratches on her face; it was just bruised and swollen, and so on.

Q. Who was present?

A. I think one of the girl's uncle. It was no one I was acquainted with.

Q. Mr. Quinn, Mr. Arnold has not heard you say all this; so I am going over some parts of it that you and I know all about, but he dont. Mr. Quinn, what time did you quit on Friday?

A. At 5:30.

Q. You got your pay Friday?

A. Yes sir.

Q. What time did you start down from home on Saturday morning, down to the factory? You came down Town, and went back home first?

A. Yes sir.

Q. When did you first come down Town?

A. About 9:30.

Q. Where did you go to?

A. To Kuhns' Photograph Gallery.

Q. Did you have your little baby's photograph taken?

A. Yes sir.

Q. Then you took the little fellow and your wife, and started back home, and stopped at the Globe Clothing Company, and showed the little fellow's picture to a friend?

A. No, I showed the little fellow. I had not got the picture yet.

Q. Showed the baby, and then where did you go?

A. Went on down and stopped at Wolfsheimer's market.

Q. Did you stop anywhere else?

A. Stopped at a Greek soda fountain at Whitehall and Garnett Street.

Q. Your wife was with you?

A. Yes sir.

AMERICAN JEWISH ARCHIVES

Q. Then you went home?

A. Yes sir.

Q. How long did you stay at home?

A. About 20 or 25 minutes.

Q. About what time did you start back to the City?

A. About a quarter of 12:00.

Q. Now then, where is your home?

A. Corner of Pulliam and Woodward Avenue.

Q. Then where did you go?

A. I came right up to Garnett Street, up Garnett Street to Whitehall, and up Whitehall Street to Wolfsheimer's market.

Q. What did you order there?

A. A whole lot of stuff. I ordered some meat and vegetables and fruits. The fact of the matter was I was expecting company the next day.

Q. How long were you in there?

A. I suppose 15 minutes.

Q. Then where did you go?

A. I went to Benjamin's Pharmacy.

Q. What did you do--buy a cigar?

A. Yes sir.

Q. All right. Then where?

A. Then I came up Whitehall Street to Hunter, down Hunter to Forsyth, and across the street to this factory.

Q. What time did you get here?

A. About 12:20.

Q. When you came upstairs, did you see anybody as you came up?

A. No sir.

Q. You saw nobody at all?

A. No sir.

Q. And you came inside this room here?

A. Yes sir.

Q. Whom did you see in here?

A. Mr.Frank.

Q. What was he doing?

A. Writing.

Q. That was nobody in here that you saw other than Mr.Frank, and he was writing?

A. Yes sir.

AMERICAN JEWISH ARCHIVES

Q. Was he calm and quiet as usual?

A. Yes sir.

Q. What did you say to him?

A. I said "Good morning, Mr.Frank". He said "Good-morning". I asked him if Mr.Schiff was in. He said no, he didnt suppose he would come down this morning. I made the remark "well, you see you cant keep me away, even on holidays". He laughed, and I think I told him that I saw he was busy, and I went.

Q. Whom did you see as you went downstairs?

A. Not a soul.

Q. When you were in front of the building did you see anybody?

A. I saw Harry Malsby.

Q. Where was he?

A. A couple of doors below here standing in front of his place of business.

Q. Did you speak to him?

A. Yes sir.

Q. Then where did you go?

A. I went down there to the corner, to the Busy Bee Cafe. There I found twogirls, that are employed here. One had married the day before. Harry called my attention to the girls being in there. In fact, I saw them in there when I crossed the street. Harry told me that the girl, that had married, was in the restaurant, and I went down, and asked her was her mother mad; she said she had not seen her mother. I made some change for the girls, and come out with them, and left.

Q. Then which way did you go?

A. I went up Forsyth Street.

Q. Then you didnt see anybody else?

A. No sir.

Q. Then you didnt come back any more?

A. No sir.

Q. When you got back Monday, did you see this negro Conley?

A. I dont remember that I did. I saw him washing a shirt Thursday.

Q. Had you spoken to him prior to that time?

A. I think not.

Q. Did you ever see him after he had been in the stockade?

A. He served one or twosentences while he was working here, and

here, and would come back and go to work.

Q. Have you seen him since he has been looked up down yonder?

A. Yes sir, I saw him once at the Coroner's Inquest, and gave him a nickel.

Q. Did he say anything to you about this matter?

A. No sir.

Q. You didnt say anything to him?

A. No sir.

Q. Did you ever get the name of that Greek?

A. No, I thought about that today.

Q. I wish you would get his name. You have accidents back there in your department, do you?

A. Yes sir, sometimes.

Q. Have you had any recently?

A. Nothing serious recently.

Q. Have you had anything, where any blood has come?

A. It has been a matter of three or four months. A boy got his finger out very badly.

Q. How close to where this blood was, that you saw?

A. It must have been 10 or 15 feet. It was the same machine that Charlie Gilbert got his head hurt on, near that machine.

Q. And he was coming this wayholding his hand and it bleeding?

A. Blood was coming out of his hand, yes sir.

Q. What was the other man's name?

A. Gilbert--he got hit in the head, knocked down by an emery wheel.

Q. He was about the same distance from there?

A. Yes, 15 or 20 feet.

Q. He was carried out through this aisle too?

A. Yes sir.

Q. Was he bleeding?

A. Yes sir. He was pretty well bunged up.

Q. Has that floor back there been down ever since you have been here?

A. Yes sir.

Q. If you were not looking for anything back there, would that spot have attracted your attention?

A. I would not think so.

Q. You might have walked over it a hundred times?

A. I did look over it, and naturally I was looking for signs back there.

Q. That spot might have been there a week or a month before?

A. Yes sir.

Q. You never would have noticed that, unless you had been looking for something?

A. No sir.

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EXAMINATION OF MRS. ELLA THOMAS (118 S. Pryor St).

Q. Mrs, Thomas, how long have you worked here?

A. I have been working here two years this past April.

Q. Have you known Mr. Frank during all that time?

A. Yes sir.

Q. What Department are you working in?

A. I work on the fourth floor, Ninth Department, assorting.

Q. You assort pencils?

A. Yes sir.

Q. You get the good ones and the bad ones separated?

A. Yes sir, I try to.

Q. You have known Mr. Frank all of this time?

A. Yes sir.

Q. Mrs. Thomas, what has been his treatment of the girls?

A. No treatment at all. He is a perfect gentleman in every respect.

Q. Mrs. Thomas, general character is reputation; its the reputation that a man has got; its what people say about him. There is a legal way to get at that, and I have to put it to you that way. Do you know his general character?

A. So far as I know his general character, I dont know aught against him.

Q. Do you know what people say about him, that is, before this thing happened?

A. I never heard anything against him before this thing happened.

Q. You do know his general character then?

A. Yes sir.

Q. Was it good or bad?

A. Good.

Q. Did you have any talk with that negro Conley?

A. Yes sir.

Q. What day did you have it?

A. The day he was arrested.

Q. What did you say to him?

A. He was sweeping up there where I was at, and he asked me what I thought about Mr.Frank, and I told him I thought Mr. Frank was innocent, and he said he knew that Mr.Frank was innocent.

Q. What did he say about Newt Lee?

A. He said, if he was that "nigger" Newt Lee, he would tell all he knew before he would stay in jail.

Q. Mrs.Thomas, have you ever been on the top floor, on the fourth floor, when the machinery was stopped, and when the elevator was running?

A. No sir.

Q. When the machinery is running, can you hear the elevator run?

A. No sir.

Q. You cant do that, when the machinery is running?

A. No sir.

Q. You have never been up there, when the elevator was running, and the machinery was not running?

A. No sir.

Q. You were not here the day of the murder?

A. No sir.

Q. Did you know little Mary Phagan?

A. No sir.

Q. Did you notice anything suspicious about Conley?

A. I cant say that I did. I didnt pay any attention to him.

Q. Mr.Frank was a nervous fidgety sort of a man?

A. Naturally that way.

Q. Did he have a habit of rubbing his hands this way?

A. I have never noticed that.

Q. You have noticed that he was nervous?

A. I noticed he was nervous. I never noticed his habit of rubbing his hands.

Q. He was generally a quit sort of a man?

A. He certainly was.

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AMERICAN JEWISH ARCHIVES

EXAMINATION OF MISS HATTIE HALL.

Q. Now, Miss Hattie, you were the stenographer down at Montag Brothers?

A. Yes sir.

Q. And you remember, do you, that Mr.Frank came over to Montag's on Saturday?

A. Yes sir.

Q. What time did he get there?

A. Really I dont remember exactly what time--somewhere about ten o'clock, I suppose, but I dont remember exactly.

Q. Did you have a talk with him?

A. Yes sir,

Q. Did you come here?

A. Yes.

Q. Why?

A. Because--I had called up in the morning before that for a bill of lading, and, while I was talking to him, I asked him if he needed me that morning; He was behind with the work, you understand, on account of his regular stenographer having left about a month before that, and they had a girl here, that didnt know much about this work, and I had been coming over and helping him out; I didnt have very much to do that morning, and I thought that would be the best time to come, and not wait till the next week.

Q. When you asked him that, what did he tell you?

A. He said "yes, please come".

Q. When you went over there, you left to come here before he left Montag's?

A. I dont remember, but it seems to me he was there when I got back, but I cant say for sure about that.

Q. What time did you leave Montag's?

A. Between 10:30 and 11:00.

Q. What time did you get here?

A. Well, it dont take but a very few minutes to walk over here.

Q. You worked for him here?

A. Yes sir.

Q. You wrote some letters for him?

A. Yes.

Q. Did you hear him talk to Mr.Gottheimer over at Montag's?

A. Yes sir.

Q. What did he say to him?

A. He said "Harry, wont you come over there", or "Come over, Harry"---anyway he asked him to come over here.

Q. Who was that?

A. Mr.Gottheimer, there at Montag Brothers.

Q. He asked Mr.Gottheimer to come over that morning---why?

A. Mr.Gottheimer usually comes over here, when he comes in.

Q. When you came here, you wrote some letters for him. What else did you do for him?

A. Acknowledged some orders.

Q. Then you copied some orders?

A. No, I dont copy the orders. I acknowledged the orders, stamped them, and acknowledged them, filled out the cards to mail out. I mailed out the cards too.

Q. You stamped them, acknowledged them, but somebody else entered them on the order book?

A. I dont know who did that. I might have done it on the Tuesday following. I entered a whole lot of them on the Tuesday following. I didnt enter any orders on Saturday.

Q. Then you wrote letters for him?

A. Yes.

Q. Who was here when you got here? Was the watchman here, and was the office boy here?

A. Yes, Alonzo was here.

Q. Did anybody else come in while you were here?

A. Three ladies, I know, and two men.

Q. Who were the ladies?

A. One had a husband, who is working upstairs---that was Mrs.White.

Q. About what time did she come?

A. After I had---I dont remember. I dont remember, but I think it was after 11:30, or not very long before I left. Then Corinthia Hall came in and this Freeman girl.

Q. What time did they come?

A. I dont remember what time they came, but they came, and went upstairs, and came down and left before I left. I left the

office the first time at 12:00 o'clock. Then I came back for my umbrella, and I left two minutes past 12:00 the last time I went out, and those two girls had come and gone. They went upstairs, and the best I remember they wanted a coat—not Corinthia Hall, but the other one, left a coat upstairs.

Q. Were there two men in here that morning, talking about coming to get the pay of their son and step-son?

A. I dont know that they came to get their pay, but they were talking about the boys having been taken down to police Court. They got in an automobile, and got in trouble about starting off an automobile.

Q. About what time was that?

A. I really dont know; I dont remember the time.

Q. That was after you came over here?

A. Yes.

Q. Were you working over here?

A. Yes.

Q. Had Mr.Frank dictated mail to you then?

A. Yes.

Q. Now, Miss Hall, when you left, it was 12:00 o'clock, when you left?

A. Yes.

Q. Where was Mr.Frank then?

A. In heretelephoning. He was telephoning to someone at his home. He was talking about lunch. That was in the far corner, not over here.

Q. You didnt see the little Stover girl nor the little Phagan girl?

A. No sir.

Q. You ~~didnt~~ didnt know the little Phagan girl?

A. No.

Q. Did you see any darkeys down there?

A. No.

Q. If one had been standing or sitting by the elevator, would you have seen him?

A. I dont know even where the elevator is. I might have seen him, but I didnt notice.

Q. Did Alonzo Mann leave with you?

A. No, he left before I did.

Q. Is this your writing?

A. This is mine---4/29th (on House order book).

Q. That's not yours?

A. That is not mine. (entries made the 26th).

Q. You dont know who made these?

A. No. This is mine (29th entries).

Q. Do you know Mr.Frank's handwriting?

A. I dont know. I might know it and I might not.

Q. This is not your handwriting? (entries 26th).

A. No. This mine down here. (entries 29th).

Q. You left the building here at 12:02?

A. I did leave it at 12:02. I looked at the clock. When I went out of the office the first the, the whistles were blowing out in Town for 12:00 o'clock. I left my umbrella, and I went downstairs, and discovered I had left it; I came back for it, and left again at12:02.

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EXAMINATION OF T.McCRARY.

Q. Didnt you meet Lorena Conley down there the other day?

A. Yes sir.

Q. What did she tell you?

A. She asked me what I thought they would do with Jim, and I told her I didnt know what they would do with him. She said she had been down to see him.

Q. Is that all she asked you?

A. That's all the interesting questions she asked me. She asked me about that man, that got killed over there, and she had seen him.

Q. Are you a drayman here?

A. Yes sir.

Q. You were here on Saturday, the day the little girl got killed? You were here at the factory?

A. I was here at 7:30.

Q. What did you do that morning?

A. I come up here and got Mr.Schiff's umbrella and rubber shoes.

Q. Got some rubber shoes?

A. Mr.Schiff's rubber shoes and umbrella.

Q. Youcame here to get them for Mr.Schiff?

A. No sir, I had been to his house to carry the clothes, and he left word with his mother for me to come up and get his shoes and umbrella and carry them to him.

Q. Who was up here?

A. Mr.Holloway and the office boy.

Q. Did you carry the umbrella and shoes to Mr.Schiff?

A. Yes sir.

Q. Did you come back any more then?

A. I come back 'twixt that and 12:00, something just before 12:00 I think. I think, I dont know the positive hour. I had to get my money before closing, and I thought there would not be anybody here after dinner, and I hadnt got my money for Friday's work.

Q. Did you come up and get your money?

A. Yes sir.

Q. Was anybody here?

A. Mr.Frank.

Q. Was anybody else here?

A. Mr.Frank was here, and he said "Well, old man, what is it"? I told him I wanted my money, and he asked me how much it was, and I told him; he paid me. He was right there at that desk.

Q. Was he writing?

A. I dont remember.

Q. Where did he get the money from to pay you?

A. He unlocked something, and got his little box out.

Q. Got it right here? (from a lower drawer in the desk).

A. Yes sir.

Q. Was anybody in the outside office?

A. Not as I see'd.

Q. Where did you go, uncle, after that?

A. I went out on the street, knocking about, trying to get some hauling to do.

Q. Had you heard the 12:00 o'clock whistle blow?

A. No sir.

Q. What time doyou eat your dinner, your lunch?

A. Whenever its best suitable, sometimes 12:00, sometimes 1:00.

Q. Did you eat your lunch that day before or after you came up here?

A. After I come up here, down on Madison Avenue.

Q. Did you go from here to get your lunch?

A. I went out on the street, and knocked about for a while before I eat dinner.

Q. Now what time was it you came up here?

A. It was 'twixt morning and 12:00. I made my calculations it was just before 12:00.

Q. That's your best recollection—just before 12:00 o'clock?

A. Yes sir.

Q. There was nobod here but Mr.Frank?

A/ No sir.

Q. Do you know Jim Conley?

A. Yes sir, I think I do. I was down there the other day talking to him.

Q. When was that?

A. I dont remember that, sir. I went down there—I dont know now.

Q. Since he has been locked up?

A. This week—one daythis week.

Q. What did he sayto you?

A. He wanted to know from me if I didnt recollect seeing him here that Saturday morning. I told him no. He said "dont you recollect I asked you what time it was"? I told him no. He said "Dont you recollect when Mr.Holloway come out and went up the street"? I said "No, I dont recollect that". "Now", I said, "you might have see'd me all right, but I didnt see you". He said he talked with me, but I dont recollect that.

Q. You know he didnt talk with you, dont you?

A. Just the day before I was talking to Mr.Holloway down there, and I said to Mr.Holloway "its mighty strange that Jim see'd everybody else, and proving where he was at, and never see'd us, the day watchman and me".

Q. He said he talked with you?

A. He said he asked me what time it was.

Q. What time did he say you told him it was?

A. He didnt say. I told him "I dont know nothing about seeing you". I said "Jim, I didnt see you from Friday evening till Monday

morning".

Q. He said he saw you and talked with you?

A. Yes.

Q. You say he didnt?

A. Yes sir.

Q. Did the detectives ask you to go down there?

A, Yes sir, they come up here and worked a kind of a trick on me.

Q. What sort of a trickdid they work on you?

A. A little funny trik.

Q. Well, tell us.

A. When I was fixing to load some stuff, a colored fellow run over, and he says "Mr.Fisher says come right over there a minute". I says "Does he want the dray"? He said "I dont know". So I went over to the saloon, and come in there, and I met two detectives, and they took me aside in there, and talked with me. They asked me questions about it, and they said they wanted to get me before Jim, and asked me did I mind going down before him. I said "No". They said "What time can you come"? I said "I can be down there about 5:30, not later than that". I ran up here, and got my money, and I reckon I got down thereabout 25 minutes to 6:00, and went on in the detectives' office, and talked with him. Things went on, and I thought everything was pretty well over, and the next night after that about 10:30 two policemen knocked on my door, and they came in, and wanted to know had anybody stole anything from me right recently. I told them no, I had not missed anything. Finally they said "No, McCrary, we are detectives, and they want you down there at that office". I said "Oh yes, they want me down on that Phagan case before Jim". He gave me a subpoena. I met him next morning at 9:00 o'clock. I went down there, and we talked, and he present, and they found out I didnt know nothing abut it, and they told me I could go.

Q. Did they ask you whether you saw Jim that day?

A. Yes sir.

Q. You told him you didnt see him and didnt talk to him?

A. I said "Jim, you might have see'd me all right enough, but I didnt see you". The detectives said "didnt two men come here, two collectors, and you told them they were all quit

and shut down and not working to-day"? I said "I was there, but I dont recollect collectors coming in; there is always a lot of folks coming around the factory, and I dont think about it five minutes . If I told them that, I dont recollect it. I dont know nothing about it. You might have see'd them all right, but I didnt see them".

Q. Did they ask any other questions?

A. That's all. They found out I didnt know nothing, and they told me I could go

Q. Conley's wife didnt tell you that Jim said they were going to break his neck?

A. No, she said Jim was worried, and she wanted to know from me what they was going to dote Jim, and I said "I didnt know what they was going to do with him. I'm afraid that he's done enough to kill himself"--I said that,--"but I dont know what they is going to do with him".

Q. Did you see Jim around here after the murder before he was arrested?

A. He was here from Monday morning till Tursday evening.

Q. Did you have any talk with him?

A. Not in particular.

Q. Did he talk about this matter to you?

A. No sir.

Q. You didnt mention it to him?

A. No.

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EXAMINATION OF CORINTHIA HALL.

Q. Miss Corinthia, you testified before the Coroner?

A. Yes sir.

Q. Miss Corinthia, did you get your pay on Friday?

A. Yes sir.

Q. Where did you get your pay at?

A. Where they usually pay off at.

Q. Where?

A. Out there.

Q. They dont pay in here or that office there?

A. No sir.

Q. There's a wicker place there, where they pay?

A. Yes sir.

Q. There's where you got your pay?

A. Yes sir.

Q. You came down Town the next day?

A. Yes sir.

Q. Did you come here?

A. Yes sir.

Q. Who came with you?

A. Emma Freeman.

Q. That was the one that married?

A. She was Emma Clark and married Freeman.

Q. Did you all come together?

A. Yes sir.

Q. Do you remember what time you got here--about what time?

A. Yes sir, it was about 20 to 25 minutes to 12:00, when we got here.

Q. When you came upstairs did you see anybody here?

A. Yes sir.

Q. Whom did you see?

A. May Barrett and Arthur White. When we first came up, we saw Mr.Frank and two men standing outside there.

Q. You didnt hear what they were saying?

A. No sir, I didnt listen.

Q. Did you know the men?

A. No sir, I had never seen them before.

Q. Two white men?

A. Yes sir.

Q. May Barrett was where?

A. Upstairs.

Q. Who was up there when you first came up?

A. Mr.Frank and two men standing outside there, and the stenographer in the office.

Q. How about Mrs.White?

A. She was sitting in this here outside office here.

Q. What did you two ladies do--you two girls?

A. We asked Mr.Frank, after those men left, could we go upstairs.

Q. You came in here or not?

A. No sir.

Q. You stood outside and asked him, and then you went upstairs?

A. Yes sir.

Q. Whom did you find upstairs?

A. Arthur White and Harry Denham and May Barrett.

Q. How long did you all stay up there, Miss Corinthia?

A. Just a few minutes, just long enough to get her coat and come back.

Q. When you got down here, whom did you find here?

A. May Barrett's daughter.

Q. Where was she standing?

A. Standing at the head of the stairs.

Q. Anybody else?

A. Arthur White and his wife was down here then. Mr.Frank told me to tell Arthur, when wewent upstairs, that his wife wanted to see him.

Q. Where were they standing?

A. Right close to theclock.

Q. Arthur White and his wife and May Barrett's daughter?

A. No sir, she was standing there on the steps waiting for her mother.

Q. What did you all do?

A. Arthur stopped us, and gave us an introduction to his wife, and then we came on in here, and Mr.Frank was sitting at his desk, and she asked him to let her use the telephone.

Q. Did you say anything to Mr.Frank?

A. No sir.

Q. What did Mr.Frank say after that?

A. He asked her about "How was the bride"? or something like that.

Q. Then you all went out?

A. Yes sir.

Q. What time did you leave the factory?

A. At a quarter to 12:00 exactly.

Q. Was May Barrett gone?

A. No sir, she had not come down from upstairs. Her daughter was still standing there waiting for her.

Q. Where did you go then?

A. Up to the corner of Alabama and Forsyth Street.

Q. Did you telephone again there?

A. I telephoned there.

Q. How long did you all stay there?

A. I didnt get the one I was calling, and we came back here to this Greek restaurant.

Q. About what time did you get there? Had the whistles blown for 12:00 o'clock?

A. I didnt hear any whistles.

Q. What time would you say it was then?

A. About 10 minutes to 12:00, because going up there to the corner, and coming back didnt take over five minutes.

Q. You didnt look at the clock?

A. No sir.

Q. You came here about 11:30---about 20 minutes to 12:00 when you got through?

A. About 25 minutes to 12:00 I suppose we come here.

Q. You all must have left the factory somewhere near 12:00 o'clock?

A. A quarter to 12:00. I remember looking at the clock. It was a quarter to 12:00.

Q. How long had you been there at the Cafe before Mr.Quinn came?

A. I dont remember how many minutes. We had ordered a sandwich and a cup of coffee---we didnt eat the sandwich; we drank the coffee---and we were waiting for change when he came.

Q. What did Mr.Quinn say?

A. I dont remember what he did say. He didnt say anything much; he was talking to her, and I was looking for the boy to come back with my change. I gavehim five dollars, and he went out to get it changed, and I was looking for him, and she was talking to him mostly. When he came back, he brought back all silver,and Mr.Quinn gave me three paper dollars for silver.

Q. Then where did you ladies go then?

A. We went to Cruickshank's.

Q. That was after 12:00 o'clock?

A. Yes sir.

Q. You girls didnt see Mary Phagan?

A. No sir.

Q. That must have been nearly half past 12:00?

A. No sir, it was not that long, because we were at McClure's at

25 minutes to 1:00 up here at the corner.

Q. After you left the Busy Bee Cafe you went to Cruickshank's. How long did you stay there?

A. I dont know just how long.

Q. Then where did you go?

A. We went to Harry Malsby's place, and used the telephone again.

Q. How long did you stay there?

A. We stayed there longer than we did anywheres else around here.

Q. Did you see Lem Quinn?

A. He was standing outside there. That's the last I remember seeing him.

Q. How close to the opening of the factory did you see him?

A. Between Harry Malsby's and here.

Q. That was when you came back--you went in and talked to Harry again?

A. We went in his place and used the telephone.

Q. Then you went away from here?

A. Yes sir.

Q. It was between 12:20 and 12:30 when you saw Quinn down at the restaurant?

A. About 10 after 12:00.

Q. You went up to the corner first and phoned?

A. Yes sir, but we left here exactly at a quarter to 12:00. I remember telling Emma that we had to meet Ila at 12:00 o'clock and we ought to be going.

Q. You testified before the Coroner that Mr. Frank had always treated you correctly?

A. Yes sir.

Q. And that he had never done anything wrong with the girls here at all?

A. No sir.

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